THE POLITICAL HISTORY OF ENGLAND

IN TWELVE VOLUMES

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VOLUME VIII.

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THE POLITICAL HISTORY OF ENGLAND

Seventy-five years have passed since Lingard completed his HISTORY OF ENGLAND, *which ends with the Revolution of* 1688. *During that period historical study has made a great advance. Year after year the mass of materials for a new History of England has increased; new lights have been thrown on events and characters, and old errors have been corrected. Many notable works have been written on various periods of our history; some of them at such length as to appeal almost exclusively to professed historical students. It is believed that the time has come when the advance which has been made in the knowledge of English history as a whole should be laid before the public in a single work of fairly adequate size. Such a book should be founded on independent thought and research, but should at the same time be written with a full knowledge of the works of the best modern historians and with a desire to take advantage of their teaching wherever it appears sound.*

The vast number of authorities, printed and in manuscript, on which a History of England should be based, if it is to represent the existing state of knowledge, renders co-operation almost necessary and certainly advisable. The History, of which this volume is an instalment, is an attempt to set forth in a readable form the results at present attained by research. It will consist of twelve volumes by twelve different writers, each

of them chosen as being specially capable of dealing with the period which he undertakes, and the editors, while leaving to each author as free a hand as possible, hope to insure a general similarity in method of treatment, so that the twelve volumes may in their contents, as well as in their outward appearance, form one History.

As its title imports, this History will primarily deal with politics, with the History of England and, after the date of the union with Scotland, Great Britain, as a state or body politic; but as the life of a nation is complex, and its condition at any given time cannot be understood without taking into account the various forces acting upon it, notices of religious matters and of intellectual, social, and economic progress will also find place in these volumes. The footnotes will, so far as is possible, be confined to references to authorities, and references will not be appended to statements which appear to be matters of common knowledge and do not call for support. Each volume will have an Appendix giving some account of the chief authorities, original and secondary, which the author has used. This account will be compiled with a view of helping students rather than of making long lists of books without any notes as to their contents or value. That the History will have faults both of its own and such as will always in some measure attend co-operative work, must be expected, but no pains have been spared to make it, so far as may be, not wholly unworthy of the greatness of its subject.

Each volume, while forming part of a complete History, will also in itself be a separate and complete book; will be sold separately, and will have its own index, and two or more maps.

The History is divided as follows:—

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The Political History of England

IN TWELVE VOLUMES

EDITED BY WILLIAM HUNT, D.LITT., AND
REGINALD L. POOLE, M.A., LL.D.

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THE HISTORY OF ENGLAND

FROM THE RESTORATION TO THE DEATH OF WILLIAM III.

1660-1702

THE HISTORY OF ENGLAND

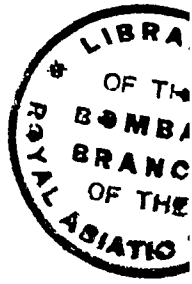
FROM THE RESTORATION TO THE DEATH OF WILLIAM III. (1660-1702)

6, 1921

BY

RICHARD LODGE, M.A., LL.D.

PROFESSOR OF HISTORY IN THE UNIVERSITY OF EDINBURGH
FORMERLY FELLOW OF BRASENOSE COLLEGE, OXFORD



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1. NORTH AMERICA, showing the growth of English Colonies in the later part of the Seventeenth Century.
2. THE LOW COUNTRIES, to illustrate the campaigns of William III.

CHAPTER I.

THE RESTORATION IN ENGLAND.

EVER since the death of Oliver Cromwell, and more obviously since the abdication of Richard Cromwell, the restoration of the house of Stewart to the throne had been inevitable. By no other apparent means could the people of England regain orderly government in Church and State. The Commonwealth had been hopelessly discredited by ecclesiastical anarchy and by the unpopularity of a military despotism. The revival of the monarchical constitution seemed the only way to undo the lamentable results of a revolution which had disappointed its principal promoters. But the manner in which the restoration was effected, after the frequent disappointment of royalist hopes, seemed to many observers almost miraculous. There was no civil strife or bloodshed, though until the last moment the resolute republicanism of the army appeared to offer insuperable obstacles to a peaceful return. No interference was attempted by foreign states, though Charles II. had long been a mendicant at the court first of France and then of Spain, and only a few months before had attended the negotiations of the treaty of the Pyrenees in the hope that the two powers might be induced to signalise their reconciliation by combining to suppress an inconvenient republic in England. And finally the king was restored without any binding restriction on his prerogative and without any adequate security for those constitutional and ecclesiastical claims which had been asserted with such vigour against his father.

These characteristics of the Restoration were doubtless due to the strength of the reaction against an unpopular republican rule, but also in large measure to the part played by three men, George Monk, Edward Montagu, and Sir Edward Hyde.

CHAP. I.

Monk had overthrown the military clique which deposed Richard Cromwell, had captured the most daring and ambitious of the republican generals, and had so arranged the distribution of the troops as to paralyse any opposition on the part of the army. Montagu had discharged the easier but still essential task of gaining over the navy, and had thus opened a safe journey from the Netherlands to England. But perhaps the most invaluable service had been rendered by Hyde. In bitter opposition to the queen-mother and her associates, he had restrained Charles from making promises and concessions to foreign powers which would assuredly have discredited the dynasty and weakened its hold on the loyalty of the people. And it was he who, as early as 1656, had invented the formula by which all conditions extorted from the king were to be subject to the future approval of a free parliament. By the adroit use of this phrase, to which no advocate of parliamentary control could object, the declaration of Breda, with its promises of amnesty, of religious toleration, and of security of property, could be modified at will by a subservient parliament. Thus Hyde secured, not only the restoration of the king, but also the restoration of the monarchy.

For these services the three great actors in the Restoration received substantial rewards. On the day after his landing Charles admitted Monk to the privy council, and conferred upon him the order of the garter and the office of master of the horse. Six weeks later the general was raised to the peerage as Duke of Albemarle. He was appointed captain-general for life and lord-lieutenant in Ireland; and in addition to lands and pensions in England he received Irish estates to the value of £4,000 a year. Montagu became Earl of Sandwich and admiral of the narrow seas. Hyde had been chancellor of the exchequer since 1643, and lord chancellor since 1658. With the Restoration these became substantial instead of nominal offices, and their holder was now the most influential minister of the crown. In 1660 he was called to the house of lords as Baron Hyde, and at the coronation he was promoted to be Earl of Clarendon.

The first occupation of Montagu was to bring the royal exiles to England. On May 23 Charles II., with his brothers James Duke of York and Henry Duke of Gloucester, embarked

at Scheveningen in the admiral's flagship, and landed at Dover two days later. In September the fleet returned to Holland to escort the Princess Royal, Mary, the widow of William II. of Orange, who had always done her best to help her brothers in their time of need. In October Lord Sandwich brought from France the queen-mother with her youngest daughter Henrietta. But the triumphant re-union of the family was early marred by death and dissension. On September 13, 1660, small-pox carried off the Duke of Gloucester, "a prince of extraordinary hopes," as indeed are most princes who die in their teens. On December 21 the Princess Royal fell a victim to the same disease. She had already rendered one service to the country of her birth and to that of her adoption by becoming the mother of a Prince of Orange who was destined to champion the independence of both. Henrietta Maria had returned to England, not so much to greet the son who had restored her husband's throne as to forbid the marriage of his younger brother. The Duke of York had courted Anne Hyde, the chancellor's daughter, when she was a maid of honour in attendance on the Princess of Orange. Her pregnancy compelled the duke to admit a binding promise of marriage, and the ceremony was secretly performed in her father's house on September 3. Loyal courtiers perjured themselves in the hope that their charges of unchastity against the lady might save their master from an alliance which they held to be as degrading to him as it was distasteful to themselves. The queen-dowager vehemently denounced a marriage with the daughter of a lawyer, and a lawyer who had so often thwarted her own schemes. But Charles would not allow so great a wrong to be done to his ablest and most consistent servant. After having furnished a subject of scandalous gossip for weeks, the marriage was publicly announced in December, and the young duchess, already the mother of a son, was formally received by her imperious mother-in-law. Family ties were by no means strengthened by the strain which had been put upon them, and in January, 1661, Sandwich was again called upon to escort the king's mother and favourite sister on their return to France.

Charles II. had entered London on his birthday, May 29, and had received a welcome apparently as unanimous as it was

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boisterously enthusiastic.[1] But no one was more conscious than the king that his difficulties began rather than ended with his return. To solve the knotty problems and to compose the deep-seated enmities which had arisen during seven years of civil war and eleven years of revolutionary government would have taxed the wisdom of the ablest statesman. All the thorny constitutional questions which had been raised in the first two sessions of the Long Parliament were open to reconsideration. Exultant cavaliers were eager to regain their lost estates, equally eager for revengeful measures against all who had profited by their disasters, and supremely confident that their proved loyalty gave them an unanswerable claim to immediate and complete redress of all grievances. On the other hand were numerous opponents of the late king who had established a strong claim to consideration by a tardy but opportune return to their allegiance. It was they, and not the cavaliers, who had actually effected the Restoration. These men could appeal to the assurances of the declaration of Breda, and any deliberate or wanton breach of faith might drive them into renewed disloyalty or even rebellion. The army, so long the dominant power, had sulkily yielded to the wishes of the people, but might at any moment be tempted to reassert its right to decide the fate of the nation.

Underlying all other difficulties were the ecclesiastical disputes which had occasioned and prolonged the civil war. The puritans had been strong enough to overthrow the established Church, but they could not agree as to what should take its place, and their quarrels had ultimately driven the presbyterians into an alliance with the royalists. But the alliance rested only upon a temporary community of interests, and its speedy rupture was inevitable unless the cavalier churchmen were prepared to abandon the principles for which they had fought and suffered. And besides the puritans there were the Roman catholics. They were regarded with mingled fear and loathing by the mass of the people, but they had strong claims upon the king. In spite of past oppression, they had shown conspicuous loyalty, and they had suffered

[1] "So great were the acclamations and numbers of the people that it reached like one street from Dover to Whitehall," *Memoirs of Lady Fanshawe* (London, 1907), p. 95.

during the Commonwealth for this as well as for their unpopular creed. Both Charles and his brother had returned from exile with a strong feeling of sympathy with their catholic fellow-countrymen. But while it was ungracious to disregard their demand for relief, it was dangerous to throw down any direct challenge to protestant intolerance. At least one argument in favour of the marriage of James with Anne Hyde was that it helped to allay popular mistrust of the alleged popish proclivities of the Stewart princes. CHAP. I.

The king who returned to this seething turmoil of political, religious, and personal quarrels was a young man of thirty, who had left England at the age of fifteen, and had only revisited his native country during the brief campaign of 1651. During his exile he had acquired a self-control, a knowledge of human nature, and a capacity for intrigue and concealment, which were not without value to a ruler in troublous times. But he had also acquired foreign habits and ideas, and he had lost that intimate acquaintance with the country and the people which can only be gained by habitual intercourse. The memory of the hardships and penury which he had so long endured impelled him to seek compensation in sensual pleasures and social dissipations. And he had already plenty of associates ready to pander to his lower nature and to encourage him to neglect in self-indulgence the interests of his subjects. It was not that Charles was without political interests or ambitions, but he had neither the knowledge nor the self-denying industry which would have enabled him to guide the state through the tangled troubles of the first years of his reign.

It was, therefore, extremely fortunate that Charles had at his side an adviser possessed in an eminent degree of the qualities and the experience in which he himself was deficient. In spite of his long absence, Hyde had never lost his firm grasp of the essential conditions of English life. His combination of tenacity of purpose with caution, clearness of insight, and a power of easy and forcible expression had raised him to political eminence twenty years before, and these qualities were as conspicuous in the minister of 1660 as they had been in the parliamentary leader of 1641. Partisans of the monarchy might contend, as James II. contended, that Hyde never wholly abandoned the principles he had advocated in

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the first session of the Long Parliament, that he was unwilling to make the monarchy too strong, and that he might, if he had chosen, have restored the Star Chamber and obtained for the king a revenue sufficient to make him independent of parliamentary grants.[1] Ardent whigs may hold that he should have imposed more definite restrictions on the royal power, that he should never have allowed any departure from the assurances given at Breda, and that he should have secured religious toleration, or perhaps better still should have rebuilt a national Church on the broad basis of comprehension. It is cheap criticism to say that he was too much of a lawyer to be a great statesman; that he was something of a pedant and more of a bigot; that he lacked flexibility in action and width of outlook; and that he failed to make the best use of his unique opportunities for reconstruction. And it is only fair to remember that he was not an absolute ruler free to carry out his own will, that he was always surrounded by hostile intriguers who sought to effect his downfall, and that he could never rely upon the whole-hearted support of a selfish master. When account is taken of the difficulties of the task and of the conditions under which it was carried out, and when a fair estimate is made of the substantial and durable work accomplished in the Restoration settlement, it is difficult to dispute the contention that Edward Hyde deserves a place among the great constructive statesmen of English history.

The first duty imposed upon the monarchy was to hold an even balance between the two sections of the coalition, the cavaliers and the presbyterians. Hyde had no love for presbyterians, and no intention of making permanent concessions to them in ecclesiastical matters; but he needed their support to settle the great outstanding questions of life and property, and he was compelled to treat them well until circumstances should enable him to dispense with their support. Hence great care was needed in the formation of a privy council. Four members of the council which had attended Charles beyond the seas, Hyde, Ormonde, Colepeper, and the secretary Nicholas, had returned to England with the king. Of these, Colepeper died within a few weeks. To conciliate Monk seats in the

[1] Clarke, *Life of James II.*, i., 393; see also Welwood, *Memoirs*, p. 122; Burnet, *History of My Own Time* (ed. Airy), i., 277.

council were given to his relative, William Morice, who was made joint secretary of state with Nicholas, and to his special nominee, Anthony Ashley Cooper. Morice was an eminent and learned presbyterian. Cooper, destined, first as Lord Ashley and later as Earl of Shaftesbury, to be perhaps the most prominent politician of the reign, had in the civil war deserted the cause of the king for that of the parliament, had played a restless part during the Commonwealth, and had recently distinguished himself by his activity in bringing the presbyterians to welcome and aid the Restoration. He was one of the twelve deputies sent by the convention to Breda. A carriage accident there had produced an internal abscess from which he suffered all the rest of his life. To counterbalance these two appointments, Thomas Wriothesley, Earl of Southampton, the most eminent and respected of the royalists who had remained in England during the Commonwealth, was re-admitted to the council of which he had been a member in the previous reign. Cooper had married a niece of Southampton, and "it was believed that his slippery humour would be easily restrained and fixed by the uncle".[1] CHAP. I.

The same balancing policy was pursued when the court was established in London and the administration was completed. The treasurership was given to Southampton, who proved an honest but not very energetic administrator. The Earl of Manchester, the presbyterian general who had been deprived of his command by the self-denying ordinance, was made lord chamberlain. Ormonde, now an Irish duke, became lord steward. The chancellorship of the exchequer was retained by Hyde for the first year, and was then handed over to Lord Ashley. All the surviving members of Charles I.'s privy council were restored, and to remove any sense of unfairness, seats were given to a considerable number of Monk's nominees. The council, thus enlarged, was too cumbrous for the discharge of its old duties, and from this time its decline may be dated. An inner "committee of foreign affairs," generally known as the cabal or cabinet, was formed from the first to consider all important affairs of state. The original members of this committee were Hyde, Southampton, Ormonde,

[1] Clarendon, *Life* (ed. 1759), ii., 12.

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Monk, and the secretaries Nicholas and Morice.[1] This committee had no recognised organisation, and its composition could be modified at any moment by the king's choice. What really held the government together was the watchful oversight of the chancellor, and that could only be efficient so long as he retained the confidence and support of Charles.

The convention, which had accepted the declaration of Breda and restored the king, contained a substantial presbyterian majority in the lower house, and the distrustful cavaliers clamoured for its immediate dissolution. But Charles' advisers were wise enough to postpone a general election until popular excitement had been allayed, and the assembly was allowed to transform itself into a legal parliament by its own act. To satisfy royalist scruples, its measures were to be subject to subsequent confirmation, and further security was given by the admission of all peers created since 1641 to the house of lords, so that the cavaliers had a solid majority in the upper house. The first vital question which the parliament had to consider was that of the amnesty to former opponents of the crown. As Charles was held to have been king since his father's death, all acts of obedience to the Commonwealth might be construed as treasonable. But the declaration of Breda had promised a full pardon to all save those who should be specially excepted by parliament, and considerations of policy urged that these exceptions should be as few as possible. The commons had already taken the initiative by drawing up a list of seven regicides who were to be excluded from the general amnesty. Soon after the return of the king a proclamation demanded the surrender of all his father's other judges within fourteen days. Nineteen obeyed and were committed to prison. Those who failed to surrender were added to the list of exceptions, and it was further enlarged by the inclusion of several other republicans, such as Vane, Lambert, and Lenthall, who were to be punished otherwise than by death.

When the bill passed to the lords a strenuous effort was made to increase its severity. Fortunately for the peace of the realm, Charles and Hyde exercised their influence in favour of a moderate compromise. The nineteen judges who had

[1] Clarendon, *Life*, ii., 49.

surrendered were to remain excluded from the indemnity, but they were not to be put to death without a special act of parliament, and they were ultimately spared. Four non-regicides Hacker, Axtel, Lambert, and Vane, three of whom the commons had put in the list for minor penalties, were transferred to the list of complete exceptions, but both houses petitioned the king that the lives of the last two should be spared. In this form the act of indemnity and oblivion was passed on August 29, 1660. Grudging and indignant cavaliers called it an act of indemnity for the king's enemies and oblivion for the king's friends.[1] Ten of the excepted persons were put to death on the sentence of a special commission. All regicides who had fled to foreign countries were attainted, and the same penalty was posthumously extended to those prominent offenders who had escaped punishment by death. On the anniversary of Charles I.'s death, January 30, 1661, the bodies of Cromwell, Ireton, and Bradshaw, already removed from their graves, were hanged at Tyburn and buried beneath the gallows. Thus the dust of one of the most redoubtable of English rulers was committed to an unhonoured and now untraceable grave. It may have been a grim consolation to the defeated republicans that the intended re-interment of "the royal martyr" at Westminster was rendered impossible because none of the witnesses of the hurried funeral at Windsor could identify the precise place of burial.[2]

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Side by side with the absorbing question of individual delinquents, parliament had been busied with the closely allied question of the tenure of land. Most of the estates of the Crown and Church had passed during the rebellion and the Commonwealth into private hands. Some had been conferred as a reward upon deserving soldiers and other adherents of the parliament, but more of them had been sold. Besides corporate property, there were extensive claims on the part of individual cavaliers. In many cases their lands had been confiscated: in others the owners had paid heavy fines by way of composition, and had had to sell land in order to raise the money. If the settlement had been postponed till a new parliament was elected, there would probably have been a very

[1] Burnet, i., 289. [2] Clarendon, *Life*, ii., 190.

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large measure of ejection and restoration. But the convention contained many men who had profited by the transfers of property, and there was an obvious reluctance to inquire too closely into the titles of existing holders. Both in the act of indemnity and in a subsequent "act for the confirmation of judicial proceedings" an exception was made in favour of lands previously belonging to the king or queen, to the Church, or to royalists who had suffered actual confiscation. These recovered their estates, and though it was understood that present occupants were to receive favourable treatment from the restored owners, no legal security was given them, and on Church lands especially they had in many cases to make way for the highest bidder. But the royalist who had parted with his lands by his own act, though under practical compulsion, had no remedy unless he could prove in a law-court some illegality on the part of those concerned in the transaction. And from this he was in most cases barred by the act of indemnity. Such a man was left with a galling sense of wrong, and he was apt to look upon Clarendon rather than upon parliament as the author of the injustice.

There was one expedient of the rebels which commended itself both to king and parliament. Monthly assessments were necessary to pay the army and navy until their eventual fate could be determined. The excise upon beer and spirits was required to furnish the king with an adequate revenue. The annual sum which the convention was willing to grant to Charles II. was £1,200,000. This was £300,000 more than the late king was computed to have received from all sources, and for its payment one half of the proceeds of the excise was granted to the king for his life. The other half was to go to the crown for ever as a commutation of the old feudal incidents. Down to the great rebellion the heir of a tenant-in-chief had continued to pay a relief as in the days of the Normans and Plantagenets. If the heir were a minor he was a royal ward, and during his minority the revenue of his estates was administered by the court of wards for the crown. The hand of an heiress could be disposed of at the will of the suzerain. When the king knighted his eldest son or gave his eldest daughter in marriage, he was entitled to demand an aid from all tenants by knight-service. These customs

were the survivals of a feudal system which had long ago lost all real vitality. During the civil war and the Commonwealth they had been in abeyance. It would have been preposterous pedantry to re-impose them at the Restoration, and by one of the great acts of the convention parliament knight-service with all its incidents and the court of wards were swept away. With them went the burdensome and unpopular royal rights of pre-emption and purveyance. Henceforth subjects might sell their goods in a free market, and royal officials were no longer authorised to demand either services or commodities at arbitrary rates. CHAP. I.

Charles soon discovered that he had made no very brilliant bargain with his subjects. He had come to England burdened with a debt of three millions contracted during his exile. This debt he had enormously increased by his lavish expenditure since his return. Money was steadily depreciating, and the cost of administration was not less steadily on the increase. With the exception of tunnage and poundage, the annual revenue was not granted to him till December, and the taxes by which that revenue was to be raised failed to bring in the estimated amount. The recovered domain lands brought to the crown very little net income during the first year. And Charles was by no means economical either in his personal or in his administrative expenditure. Gross corruption prevailed in most departments of government. The king disliked to refuse requests, and his mistresses and courtiers took full advantage of a generosity which was really a form of selfishness. Neither the chancellor nor the treasurer, though they risked the royal displeasure by their remonstrances, could check the rapacity of Barbara Palmer, the beautiful favourite who became the mother of five children by the king, and who was rewarded for her complaisance by endless gifts of money and by the successive titles of Lady Castlemaine and Duchess of Cleveland. Not only did Charles never recover from the financial troubles of his exile and the first year of his reign, he was never able to defray his expenses from his normal revenue.[1] Chronic impecuniosity, always verging upon bankruptcy, and on one occasion actually crossing the border-line, gives the

[1] On Charles II.'s finances, see W. A. Shaw, *The Beginnings of the National Debt* (in *Owens College Hist. Essays*, 1902).

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clue to many of the problems of the reign. It explains why parliament was enabled to recover within a few years much of that efficient control over the executive which it seemed to have abandoned of its own accord in the first eager outburst of loyalty. And the only excuse which has been offered for a foreign policy which is one of Charles' worst offences against the state, is that pressing financial needs, due in some measure at least to the inadequacy of the revenue allowed him, made patriotism and independence luxuries which he could not afford.

Charles was the son of a French princess, he had passed some of the most impressionable years of his life at the French court, and he had returned with a devout admiration of the French monarchy,[1] which had emerged from the troubles of the Fronde to attain its zenith of power and magnificence in the hands of Louis XIV. France had given its king a standing army in the fifteenth century, and with its aid the crown had been able to humble first foreign enemies and then overmighty subjects at home. Such an army had been created for the first time in England in the New Model, and it was still at full strength at the Restoration. An ambitious prince who aspired to make some noise in the world must have felt reluctant to disband a force which had raised Cromwell to be the courted arbiter between the great powers of the continent. But Charles had no alternative. If the army had been as loyal as it was the reverse he could not have afforded to keep it together. The strongest argument against giving the king too ample a revenue was that he would be saved from the temptation to maintain a permanent military force. And so parliament was urged to find money to discharge the arrears of pay, and one by one the famous regiments which had humbled Spain in the battle of the Dunes[2] were disbanded. The process of disbandment was almost completed when it was arrested in January, 1661, by a rising of fanatics in London. The rising was suppressed with little difficulty, but it called attention to the danger of abolishing all regular troops. Accordingly Monk's regiment of infantry was retained as the Coldstream Guards, and a carefully selected regiment of horse was formed as a body-guard to the king. The number of these

[1] See Clarendon, *Life*, ii., 76; Burnet, i., 167. [2] See vol. vii., 455-6.

troops was increased in the following year by the inclusion of part of the garrison from Dunkirk.[1] CHAP. I.

The prolonged consideration of the indemnity and of finance had diverted the attention of the commons from the ecclesiastical questions which constituted the most vitally important of all the problems of the Restoration. Under the Commonwealth there had been ecclesiastical anarchy tempered by state control. Both conditions were intolerable to the presbyterians, and their bitter discontent led them into an alliance with the Anglican churchmen, of whom twenty years before they had been the arch-opponents. But they had been short-sighted enough to abstain from exacting any binding pledges from their associates, and to put excessive trust in the gratitude of the restored king. Charles from Breda had promised "a liberty to tender consciences, and that no man shall be disquieted or called in question for differences of opinion in matter of religion which do not disturb the peace of the kingdom, and that we shall be ready to consent to such an act of parliament as upon mature deliberation shall be offered to us for the full granting that indulgence". For toleration, however, and especially for toleration which might be shared with Roman catholics, independents, and anabaptists, the presbyterians had no desire whatever.

For more than a year their position was one of great uncertainty. It was obvious from the first that they could not resist the restoration of episcopacy. The son of Charles I., no matter what his own religious views might be, could hardly fail to show some loyalty to the Church for which his father had died. And Hyde had notoriously severed himself from his old associates in the Long Parliament because of his devotion to the established Church, and since the Restoration he was in close communication with prominent churchmen who had been old friends at Oxford and Great Tew, such as Gilbert Sheldon, the most politic ecclesiastic of his day, and George Morley, who had been a court chaplain to the royalist exiles. The nine surviving bishops of the late reign resumed their sees as a matter of course. The Prayer Book was used in the royal chapel and in the house of lords. Evicted clergy

[1] On the formation of the earliest regiments, see Fortescue, *History of the British Army*, i., 290-92.

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successfully insisted on the extrusion of the ministers of various sects who had occupied their livings. The ease with which these changes were effected proved that in England the essential doctrines of presbyterianism, especially that of independence of state control, had taken very little root. Still, in spite of discouragement, the presbyterian leaders clung tenaciously to their schemes of "comprehension," by which the established Church was to be widened in order to allow them to remain securely within its borders. Their favourite expedient was that recommended by Archbishop Ussher of Armagh as long ago as 1641. If, in accordance with Ussher's model, the power of bishops could be limited by district and diocesan synods, if the liturgy and its rubrics could be modified so as to satisfy some scruples as to the compulsory use of ceremonies and vestments, and if a limited licence were given for extempore prayer, the presbyterians were willing to become loyal members of the established Church. And they had some substantial arguments to bring forward in support of their proposals. Such a Church, though it would exclude the hated sectaries, would be more truly national than the Anglican Church as organised on the principles of Laud. And it might achieve the aim of so many statesmen by securing religious uniformity between England and Scotland.

Although Charles was rather annoyed by indiscreet reminders that he had himself signed the covenant in his youth, neither he nor his minister were prepared to meet the presbyterian demands with an absolute refusal. Charles had strong personal motives for desiring toleration, and his dislike of presbyterianism was mainly based on a vivid recollection of the treatment he had received in Scotland. Hyde, too, though he never wavered in his determination to rebuild the Church on its old foundations, deemed it politic to temporise for a while and even to encourage hopes which were doomed to disappointment. Several presbyterians, such as Baxter, Reynolds, and Calamy, were appointed chaplains to the king. No haste was shown in filling up the vacant bishoprics, and it was clearly given to be understood that the highest honours in the Church would be open to its new adherents if a satisfactory compromise could be arranged. The king assented to a bill giving security of tenure in the meantime

to all occupants of livings who had been appointed on a lawful vacancy, who had not been prominent in preaching republican doctrines, and who had not renounced the doctrine of infant baptism. And finally, at a conference between leading Anglicans and presbyterians, held in the chancellor's own residence at Worcester House, an important declaration on the chief points at issue was drawn up and published on October 25, 1660. Bishops were not to exercise arbitrary authority but were to have "the advice and assistance of presbyters," and until the liturgy could be revised by a conference of divines representing both sections, there was to be no compulsion as to the reading of the Prayer Book or the wearing of vestments. The presbyterians were so delighted that Reynolds accepted the bishopric of Norwich, and Baxter only postponed his acceptance of that of Hereford until it was seen whether parliament would transform the king's declaration into a formal statute. CHAP. I.

It is impossible to come to any other conclusion than that the declaration of October 25 was a deliberate act of deceit. The convention parliament re-assembled after a brief recess on November 6, and after long discussions on methods of raising the royal revenue, a bill for confirming the king's declaration was read for the first time on November 27. That the influence of the government was exerted against it is proved by the tone adopted by Morice, who deprecated any attempt to bind the king's action in ecclesiastical affairs. On the second reading the bill was thrown out by 185 votes to 157, and the parliament of 1660 had no further opportunity of attempting to regulate the ecclesiastical future of England. As soon as it had completed the necessary measures for granting the excise to the crown, it was dissolved on December 29. All need of delay in filling the vacant offices in the Church had for some time disappeared. The archbishopric of Canterbury had been conferred in September upon William Juxon, whose claims to the office were indisputable. But he was too old to play any great part in affairs, and even at the coronation his part in the ceremony had to be carefully curtailed. To his former see of London was appointed Gilbert Sheldon, who was to all intents and purposes the head of the Church, and who succeeded to the primacy on Juxon's death. Morley became

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The general election took place while the popular enthusiasm for the restored monarchy was stimulated by the king's coronation, which was solemnised with unusual pomp on April 23, 1661. The new parliament met on May 8, and it was at once apparent that the composition of the lower house had undergone a complete alteration. The fervour of the royalist reaction had swept away most of the presbyterian royalists and had filled their places with ardent cavaliers.[1] The conference of Anglican and presbyterian leaders, which Charles had promised in his declaration to convene, was actually sitting in Sheldon's lodgings in the Savoy when parliament assembled. Whatever prospect there was of an agreement was removed by the temper of the house of commons. Within the first two sessions (May 8 - July 30, and November 20, 1661 - May 19, 1662) a series of statutes effectually put an end to all projects of comprehension and restored Church and Crown to nearly all their old powers. The act of indemnity was only confirmed with reluctance and at the pressing instance of the king. For the safety of the king and his government, the treason laws were made more severe during Charles' lifetime. To affirm that the king was a heretic or a papist was an offence to be punished by exclusion from ecclesiastical, military, and civil office. To hold that parliament or either house could exercise legislative authority without the crown, involved the penalties of præmunire. The solemn league and covenant was pronounced to be "an unlawful oath imposed on subjects against the fundamental laws and liberties of the people," and the covenant itself was ordered to be burned by the common hangman. The sole command of the militia and of all naval and military forces was declared to be vested in the crown; and neither parliament nor either house of parliament might lawfully levy war against the king.

Still more noteworthy were the measures passed in the

[1] London, however, returned two presbyterians and two independents, *Calendar of State Papers, Domestic*, 1660-61, pp. 536-39.

interests of the Church. The act of 1642, which excluded all persons in holy orders from exercising temporal authority or jurisdiction, was formally repealed, thus enabling bishops to resume their seats in the house of lords and Juxon and Sheldon to be admitted to the privy council. The ecclesiastical courts, with the express exception of the high commission, recovered their judicial functions. In the second session, when the bishops were once more in the upper house, three successive acts of great importance became law. These were the corporation act, on December 20, 1661; the act of uniformity, and the licensing act, which received the royal assent on May 19, 1662. By the first all existing holders of municipal office were to take the oaths of allegiance and supremacy, to declare on oath that it is unlawful upon any pretence whatever to resist the king, and to repudiate the solemn league and covenant. Future holders of office were in addition to receive the sacrament within the year of their election. By this act the presbyterians were especially attacked, as it was in the towns that their chief strength lay. CHAP. I.

The act of uniformity was designed to put an end to the ecclesiastical controversies which had been going on for the last two years. The Savoy conference had broken up without coming to any agreement, and in consequence the revision of the liturgy was entrusted to the bishops and to convocation. So far as changes were made, they were of a nature to alienate rather than to reconcile the presbyterians. The use of this revised Prayer Book was made compulsory in every church, chapel, and place of public worship. All incumbents of livings not already in Anglican orders must, before St. Bartholomew's day, August 24, receive episcopal ordination and declare their acceptance of the doctrines of the Prayer Book. Future incumbents must make such declaration within two months of their admission to a living. All university teachers and officers, all schoolmasters and private tutors, were to declare their acceptance of the liturgy and of the doctrine of non-resistance. No schoolmaster or private tutor might teach without a licence from the bishop of the diocese. The licensing act was intended to muzzle the press, as the act of uniformity muzzled the clergy and teachers. The number of master printers was to be allowed to diminish till it reached twenty, and thereafter every

CHAP. I. new appointment was to be made by the archbishop of Canterbury and the bishop of London. No book might be published without a licence from the appropriate censor. The act was only made in the first instance for two years, but it was regularly renewed before expiry until 1679.

These reactionary measures of parliament were accompanied by renewed acts of severity against the unpopular republicans. In April, 1662, three of the regicides who had sought safety in Holland were seized at Delft and shipped to England, where they were hanged, drawn and quartered. Their execution was followed by the trial of Lambert and Vane. In defiance of the statute of Henry VII., which justified obedience to a *de facto* ruler, both were condemned to death. Lambert, who had adopted a submissive attitude during the trial, was allowed to end his life in easy confinement, but to Charles' eternal discredit the sentence upon Vane was carried out on June 14. The king had virtually promised the convention to spare his life, and he broke his word, not because Vane was more guilty than others, but because he was more feared.

As St. Bartholomew's day approached, the clergy had to decide whether they would accept the liturgy and episcopal ordination or abandon their benefices. If the number of the recusants had been small and their reputation insignificant, the triumph of the Anglican party would have been complete, and religious uniformity would undoubtedly have weakened the forces of political discontent. No compensation was offered by the state, and no arrangements had been made by supporters to supply the evicted ministers with even a moderate stipend. The most obvious alternative occupation, that of teaching, was closed to them by the act of uniformity itself. But puritanism had been too strongly forged by previous adversity and by the proud memory of a great victory to yield even to such a temptation as the choice between comfort and penury. More than 1,200 clergy went forth from their homes and their churches on August 24, 1662. And among them were men who were regarded with the greatest veneration by their followers: Richard Baxter and Edmund Calamy, who had refused bishoprics; Thomas Manton, who had been offered a deanery; William Bates, the "silver-tongued divine"; Thomas Case, another eminent preacher, though Pepys

called his sermon dull; Samuel Annesley and John Wesley, eminent in their own day but perhaps better known as the grandfathers of the later John Wesley; and Gilbert Rule, who quitted the living of Alnwick to become at a later date principal of Edinburgh University. CHAP. I.

Against such a demonstration of conscientious devotion the Church was powerless. Persecution could not break these men unless it was prepared to go the length of extermination. The act of uniformity was a misnomer, for from it dates the permanent division of the nation between adherents of the established Church and nonconformists.

The absorbing interest of domestic affairs during the first two years of Charles II. had not wholly distracted attention from foreign policy. Under Cromwell Britain had been exalted to the rank of a first-rate European power, and since his death the continental states had watched with keen attention the gradual evolution of order from the anarchy which had resulted from the severance of civil and military authority. During this interval France and Spain had terminated their prolonged struggle by the treaty of the Pyrenees. But the treaty was little more than an armed truce, and by stipulating for the marriage of Louis XIV. with the elder daughter of Philip IV. it had given to France pretensions to Spanish dominions which were destined to be a fertile cause of European unrest. It was just after the conclusion of peace that Charles came to the throne. He was still unmarried, and the future relations of England depended very largely upon the choice of a bride. Most of his subjects would have liked him to marry a protestant, either the daughter of Frederick Henry of Orange, or a lady from some North German house. But Charles was no protestant, he declared the German ladies to be "foggy," and the Dutch alliance, which at one time he would gladly have concluded, had lost many of its attractions. The house of Orange had been excluded from its offices in the republic, and the republican leaders were disgusted when the convention passed, and the next parliament confirmed, a navigation act as hostile to Dutch interests as that of 1651. A Roman catholic marriage must connect England directly or indirectly either with France or with Spain. Charles himself was at first inclined to waver between the two states,

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which were both eagerly solicitous for the English alliance. In spite of his French descent, he could not forget that France had expelled him from her soil in order to gain the favour of the usurper, and less than two years before the Restoration he and his brother had led their followers in arms against France in the service of Spain. On his return to London he had refused to receive the French envoy who had conducted the negotiations between Mazarin and Cromwell.

If Charles had followed his first impulse and established a close alliance between England and Spain, his subjects would have been pleased.[1] French ambition would have received a severe check, and the history both of England and of Europe in the later part of the century might have been profoundly modified. But dynastic considerations prevented Philip IV. from grasping at the opportunity when it was offered. His only marriageable daughter, Margaret, was betrothed to the Emperor Leopold, and their union was imperatively necessary to secure the eventual succession in Spain of the Austrian Hapsburgs. Charles was chagrined at the manner in which the suggestion of a Spanish match was rejected, and when Philip tried to redeem his mistake by proposing a princess of Parma and by offering to dower her as if she were a Spanish infanta, it was too late. The English ministers had agreed to the marriage of Charles' sister, Henrietta, with Louis XIV.'s brother, Philip of Orleans, which was solemnised on March 30, 1661, and even before this they had opened negotiations for the marriage of the king himself, which committed England indirectly to an alliance with France and to hostility to Spain.

Perhaps the most brilliantly successful of Richelieu's anti-Spanish measures was the encouragement of the rebellion of Portugal in 1640. With French aid John of Braganza, and after his death in 1656 his widow, Luisa de Guzman, had strenuously and successfully resisted all efforts on the part of the Spaniards to recover their sovereignty over Portugal. But in 1659 Louis XIV. solemnly pledged himself to withdraw all French assistance. Left to itself, the little Portuguese kingdom seemed to have no hope of holding its own, unless England

[1] Pepys, Sept. 30, 1661, "We do naturally all love the Spanish and hate the French"; compare Jusserand, *A French Ambassador at the Court of Charles II.*, p. 126.

would take the place of France. Luisa de Guzman was determined to shrink from no sacrifice to gain the English alliance. In the summer of 1660 the Portuguese envoy offered to Charles the hand of Catharine of Braganza, the sister of the young King Alfonso VI., with a dowry of two million cruzados (over £800,000), with the cession of Bombay in the East Indies and of Tangier on the north-west coast of Africa, and with valuable mercantile concessions. The offer was too tempting to be refused. It would conciliate the commercial classes; it would give England a strong naval position in the Mediterranean, and it would enable this country to step into the once commanding position held by Portugal in the east and to check the growing ascendency of the Dutch. And the money, a larger sum than any royal bride had ever brought to England, would serve to extricate the king from his most pressing pecuniary difficulties. Any fear of incurring Spanish displeasure was removed by assurances of approval and support from France. French interests demanded that Portugal should remain a thorn in the side of Spain, and Louis XIV. did not hesitate to depart from the spirit of his recent pledges by encouraging England to assume the championship of Portuguese independence. It was a short-sighted policy, for which France had to pay a heavy penalty in later years. CHAP. I.

Neither the privy council nor parliament offered the slightest opposition to the Portuguese marriage, and the treaty was formally signed on June 23, 1661. Charles promised to employ 10,000 men as auxiliaries in the defence of Portugal, but he refused to go to war with Spain unless attacked by that power. The ubiquitous Earl of Sandwich was appointed extraordinary ambassador to escort the bride to her future home. As Sandwich before going to Lisbon was ordered to coerce the Algerine pirates and to occupy Tangier, and as both operations met with unexpected opposition, his arrival in the Tagus was delayed till March, 1662. In the meantime Charles wrote to Catharine to assure her that he longed "to see her beloved person, in my kingdom as anxiously as I desired, after long exile, to see myself there, or as my subjects desired to see me, as was shown to all the world by their demonstrations on my arrival".[1] Further expressions of affection were sent through

[1] *J. M. Heathcote's MSS.* (Hist. MSS. Commission), p. 17.

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a devoted royalist, Sir Richard Fanshawe, who went on a special mission to Lisbon for the purpose. Fanshawe was also instructed to make careful observations of Portuguese trade, to oppose any claim of the Dutch to equal privileges with the English, and to suggest that if Portugal had any difficulty in defending Goa, that place might well be handed over as well as Bombay. For "the principal advantages we propose to ourself by this entire conjunction with Portugal is the advancement of the trade of this nation and the enlargement of our own territories and dominions".[1]

In April, 1662, Catharine and her ladies embarked under the convoy of Sandwich and his fleet, and reached Portsmouth on May 13. There she had to wait a week until Charles, after sanctioning the uniformity and licensing acts, could find time to go down to Portsmouth and welcome his bride. On the 21st they were married, first in strict secrecy by Romish rites and then publicly by Bishop Sheldon in the form prescribed in the Prayer Book. From Portsmouth the royal couple proceeded to Hampton Court, where their supposed honeymoon was spent before their formal entry to Whitehall on August 23. A good deal of this time was employed by Charles in overcoming with cynical brutality his unfortunate wife's reluctance to admit Lady Castlemaine as one of the ladies of her bed-chamber. The lesson was well learned and Catharine became the most docile of wives. She exercised no influence in politics, and had little amusement except dancing and card-playing, but she may have consoled herself in her many moments of acute humiliation by the thought that her sacrifice had saved her beloved country. The auxiliaries sent by England sufficed to turn the scale against Spain, and in 1668 the independence of Portugal was formally acknowledged after a quarter of a century of strife.

With the Portuguese alliance is intimately associated another transaction of 1662 which was regarded with far greater resentment by public opinion. Now that England was in occupation of Tangier, which required a garrison to defend the town against the Moors and a mole to protect the harbour from storms, it was quite impossible to defray the heavy annual expense of the maintenance of Dunkirk. Spain, from whom

[1] *J. M, Heathcote's MSS.* (Hist. MSS, Commission), p. 17.

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the town had been taken, had strong claims to its restoration, and this might have been part of the marriage treaty with a Spanish infanta. But Charles was now committed to an anti-Spanish policy, and Louis XIV. was ready to offer £200,000 for the purchase of Dunkirk. This sum, added to an annual saving of at least £100,000, was a tempting bribe to an impecunious king, and the bargain was hastily arranged in the autumn of 1662. No minister was eager to claim the credit for a transaction which in the nature of things could not be popular, and which was readily open to misconstruction. But there is no reason to suspect the ministers' honesty in the matter, or the sincerity of their conviction that of the two places Tangier was the more valuable. There is not the slightest evidence that Clarendon was bribed by France or that he was specially prominent in the negotiation. That the people gave the name of "Dunkirk House" to the palatial residence which he was building in Piccadilly is only one of many illustrations of the general belief that the chancellor was the author of all the acts of the government. If responsibility is to be fixed anywhere, it must be on military and naval experts like Sandwich and Monk, who declared that "in time of peace it would put the king to a great charge, and in time of war it would not quit the cost of keeping it".[1]

By the end of 1662 the Restoration settlement in England had been practically completed. Church, State, and social organisation had been re-erected on the old foundations. But two outstanding questions remained unsolved. Could the principle of ecclesiastical uniformity be maintained by the coercion of the recalcitrant nonconformists? And was it likely that the present harmony between the restored monarchy and parliament would be permanently maintained? Both questions were destined to receive a negative answer during the reign of Charles II. And among the causes of future quarrel between the king and his subjects a prominent place was occupied by the unpopular French alliance to which he was committed in 1662.

[1] Clarendon, *Life*, ii., 384-7; Burnet, i., 303; Pepys, Oct. 27, 1662; *Leybourne-Popham MSS.*, p. 250; J. S. Corbett, *England in the Mediterranean*, ii., 12-21.

CHAPTER II.

THE RESTORATION IN SCOTLAND.

CHAP. II. THE settlement of Scotland, though it naturally attracted far less general attention than that of England, and though it was undertaken with less haste, was almost equally important to the king and his ministers. The military successes of Cromwell and Monk had enabled them to solve the problem which had baffled such powerful rulers as Edward I. and Henry VIII. During the Commonwealth Scotland had been united with England to form a single state. Its separate parliament and its general assembly, the latter of which practically constituted a more efficient and more popular legislature, had both been suppressed. Scottish representatives, though inadequate in numbers and in the method of selection, had attended the meetings of a British parliament. The commercial barriers between the two countries had been swept away. The Scottish nobles had been deprived of that feudal authority and independence which lamentable experience had proved to be inconsistent with the national welfare. All serious resistance, after the futile rising of Glencairn, had been rendered hopeless by the construction of a network of well-garrisoned fortresses.

From a modern point of view it seems almost inconceivable that this union, so long desired and so obviously advantageous to England, should have been abandoned without grave misgivings by the statesmen of the Restoration. Scotland was in no position to extort terms from the restored king, and Charles had issued no declaration of Breda to his northern subjects. The assent of Scotland to the return of the king was taken for granted, and it seems to have been equally hearty and spontaneous. Yet the union was given up with little hesitation on the part of English statesmen, and the only defence which Clarendon even suggests is that "the king would not build

according to Cromwell's models, and had many reasons to continue Scotland within its own limits and bounds, and sole dependance upon himself, rather than unite it to England with such hazards and dangers as would inevitably have accompanied it under any government less tyrannical than that of Cromwell".[1] This is doubtless capable of expansion into a serious argument. Charles was under great obligations to Scotland. The "engagers" had in 1648 struck a stout blow in defence of his father. He himself had been welcomed, though on distasteful conditions, to the Scottish throne, and Scottish presbyterians had fought manfully, if unsuccessfully, on his behalf at Dunbar and at Worcester. The conquest of Scotland and its compulsory absorption into a British commonwealth had been the penalty which the country had paid for its adhesion to the Stewarts, and a Stewart king could hardly treat loyal subjects as harshly as his enemies had done. And from a purely selfish point of view there was something to be said for separation. Two distinct kingdoms were in some ways easier to manage than a single coherent state. If troubles arose in England, Scottish aid might be invaluable to the monarchy. The Spanish Hapsburgs had built up a despotism in the Peninsula by playing upon the divergent interests of Castile and Aragon. A similar policy might lead to the same results in Great Britain. Such arguments were actually employed by Lauderdale, and carried their due weight with Charles.

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The restoration of the parliament was not the only concession to Scottish national sentiment. In spite of the misgivings of Hyde, the English garrisons were withdrawn, and the fortresses which had been built at Ayr, Perth, Inverness, and Leith were destroyed. This hazardous measure was also due to the advice of Lauderdale, who was determined to free Scotland from English domination, partly out of stubborn patriotic prejudice, and partly because it was necessary to establish his own ascendency. At the same time the Scottish records, which had been brought by Cromwell to the Tower of London, where they still lay packed in a number of hogsheads and boxes, were ordered to be restored to their native home. This led to a memorable disaster. Before they were sent

[1] *Life*, ii., 93.

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away, Clarendon insisted upon a careful search for the copy of the covenant which the king had signed in such ample and binding terms in 1650.[1] The search was successful, but it delayed the sending off of the precious documents till the winter. With culpable disregard of their importance, they were despatched by sea. On the way, the frigate on which they had been embarked being hard pressed by a storm transferred eighty-five of the hogsheads to a smaller vessel, which sank with all its cargo off Berwick on December 18, 1660. Many of the documents which remained on the frigate and were therefore saved, still show traces of the salt water with which they were soaked during the storm.

The immediate problems in Scotland were much the same as those in England; the question of indemnity for past offences, the revival of royal authority, and the settlement of the Church. Soon after Charles' return he organised a council at Whitehall to advise him about Scottish affairs. As a security against too complete a separation of the two kingdoms, it was arranged that six English privy councillors, Hyde, Ormonde, Southampton, Monk, Manchester, and Nicholas, should have seats in this council. Such an arrangement was as repugnant to Scottish prejudices as the suppression of their parliament, but it was acquiesced in without protest at the time. Experience soon showed that it was only on broad general lines of policy that these intruders could exercise any control. In matters of detail, both ignorance and lack of interest impelled them to leave the decision in the hands of the numerous Scottish loyalists who hastened to seek profit and promotion in the service of the restored king.

Among these men may be traced a marked division somewhat like that which divided Hyde and Southampton from Monk and Manchester. On the one side were the "malignants," or royalists proper, who were not only devoted to the crown but also eager to restore episcopacy. Prominent among them were the Earl of Glencairn, who had supported Charles I.

[1] Two copies of the covenant as signed by Charles II. are in existence. One, which was discovered by William Ryley, clerk of the records, in the search ordered by Hyde, passed with the Clarendon Manuscripts to the Bodleian Library, where it is still preserved. The other, whose history is more obscure, was purchased in 1889 by Lord Rosebery, and is now in Barnbougle Castle. Both documents appear to be equally authentic.

against the covenanters, Lord Newburgh, a sharer in Charles II.'s exile since the fatal day of Worcester, and Sir Archibald Primrose, the representative of a family which had risen to prominence and wealth in successive occupation of the clerkship to the privy council. The recognised leader of this party was the Earl of Middleton, one of the most successful professional soldiers in an age when such men enjoyed no small share of fortune's favours. It is true that he had fought for the covenanters, and even in the cause of the English parliament, but he had since proved his loyalty by the courage which had led him to be taken prisoner both at Preston and at Worcester, and he had done his best against Monk at the head of the scanty and ill-equipped forces which Glencairn had raised in the highlands.[1] Above all, he shared with the king a mighty aversion from presbyterianism, ever since he had been excommunicated by James Guthrie and compelled to do penance in sackcloth. CHAP. II.

On the other side were the more numerous nobles who had been more or less actively committed to the covenanting cause, and whose subsequent devotion to the crown had not wholly weaned them from allegiance to the presbyterian Church. By far the ablest of these men was John Maitland, second Earl of Lauderdale, who was destined to rule Scotland for nearly twenty years and to leave behind him an ill-omened and unpopular name. An ugly red face and slobbering tongue, "too big for his mouth, which made him bedew all that he talked to,"[2] were redeemed by a ready if rather coarse wit which gave him success as a courtier, and by a power of supple intrigue which enabled him to retain the royal favour through many changes of policy and administration. His early record was from the royalist point of view a bad one. He had been one of the commissioners who agreed to the solemn league and covenant. With Johnston of Wariston he had attended the Westminster assembly, and had there been the trusted associate of Alexander Henderson and Robert Baillie. He had served on the Committee of Both Kingdoms, and it was rumoured that he had advised the surrender of Charles I. to the English parliament. But since the visit to Carisbrooke in December, 1647, from which he returned with the famous

[1] See vol. vii., 413-15. [2] Burnet, i., 184.

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"engagement," Lauderdale had wholly changed his policy.[1] He no longer consorted with ministers, and was suspected of disloyalty to the covenant. His diplomacy induced Charles II. to accept the harsh terms on which the presbyterians insisted that he should buy the crown, and it was during the next few months that Lauderdale acquired that intimate knowledge of the young king's character and tastes which afterwards served him in good stead. At the battle of Worcester he had been taken prisoner, and so he had remained, thanks to a special enmity with which Cromwell regarded him, till Monk opened his prison doors in March, 1660. As soon as he could fill his empty pockets, he hurried to Breda and succeeded in resuming his old intimacy with Charles.

Lauderdale's career is so full of shifts and inconsistencies, and his whole nature was so essentially untruthful, that it is difficult, even with the plentiful evidence of his own papers and correspondence, to speak with any certainty as to his desires or his aims.[2] He assuredly had no sympathy with the presbyterian claim to spiritual independence, and he was determined to subject the Church to secular control. On the other hand, he seems to have disliked episcopacy, partly in itself and partly on account of its association with English control over Scottish affairs. And personal rivalry to Middleton, the avowed advocate of episcopal government, was enough in itself to impel him to suggest doubts as to its desirability. But he never sacrificed interest to scruples of conscience or consistency, and he was willing to curse the covenant or even to turn Turk rather than part with office. When he deemed it profitable or necessary, he did not hesitate to take the harshest measures against men whose principles he had once sufficiently shared to know that they were neither discreditable in themselves nor harmful to the state. Such conduct, combined with his constant attendance at the court of Charles II., could not but have the most debasing influence upon his character. The man, whom Robert Baillie had regarded in 1643 as "a youth that brings by his noble carriage credit to our nation and hope

[1] See vol. vii., 335.

[2] For an able sketch of Lauderdale's career see two articles by Mr. Osmund Airy in the *Quarterly Review* for 1884, and in the *Eng. Hist. Review* for July, 1886. The *Lauderdale Papers* (Camden Society, 1884-85) are invaluable for Scottish history in this period.

to our cause," sank in later life to be a brutalised debauchee. The only redeeming feature in his character, apart from his intellectual power, was a genuine love of learning. CHAP. II.

On either side the leaders found able supporters. The most fiery champion of Middleton and episcopacy was George Mackenzie of Tarbat,[1] a young graduate of Aberdeen who had joined the rising of Glencairn and after its suppression had escaped to the continent. Lauderdale's chief ally in 1660 was the Earl of Crawford, a consistent covenanter, who had fought against Charles I. at Marston Moor and Kilsyth. Like other presbyterians he had become an "engager" in 1648, and had supported Charles II. after his father's death. On the same side were two men who may rank among the most distinguished Scotsmen of their generation. Sir Robert Moray had rendered loyal and efficient service to the Stewarts throughout the civil war, but is still better known as an ardent student of chemistry and other branches of science, and as one of the founders of the Royal Society. With him was closely associated his friend and constant correspondent, Alexander Bruce, who succeeded his brother as Earl of Kincardine in 1663, and retained throughout his political career an unsullied reputation, in the affectionate words of Burnet, "the wisest and the worthiest man that belonged to his country".[2]

Besides the avowed partisans, there were two prominent men, the Earl of Rothes and James Sharp, who were not at first committed to either side. Rothes was a young man of the same age as the king. He had carried the sword at Charles' coronation in 1650, had been captured at Worcester and imprisoned in the Tower. In 1660 he had joined the king at Breda and had crossed to England in the same ship. That he was illiterate and ill-educated is proved by the truly execrable orthography of his letters, but he stood high in the royal favour, and his contemporaries admitted that his energy and ability promised a brilliant political career. And he had one notable qualification for a Scottish statesman in the seventeenth

[1] This George Mackenzie, afterwards Viscount Tarbat and Earl of Cromarty, must be carefully distinguished from another George Mackenzie of Rosehaugh, who as king's advocate in the times of persecution earned the name of "Bluidy Mackenzie," and is more honourably distinguished as the author of valuable memoirs and as the chief founder of the Advocates' Library in Edinburgh.

[2] Burnet, i., 189.

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century. He could drink the hardiest topers under the table and remain unaffected himself.[1] He was the son-in-law of Crawford and the intimate friend of Lauderdale. Yet he had never shown any affection for presbyterianism, and Middleton had little doubt that his loyalty to the king would make him an efficient fellow-worker with himself.

James Sharp, at this time minister of Crail, in Fife, seems to have possessed in a high degree that subtlety and diplomatic capacity which invariably gain for their possessor a great influence among ecclesiastics. In the struggle between the "resolutioners" or moderates, and the "remonstrants" or extreme presbyterians, he had become the leader of the former section. "Sharp of that ilk" Cromwell had called him, not without some measure of admiration, when he went to London in 1657 to represent his party in the Church. He was in close alliance with Monk when the general started on his famous march from Coldstream, and he was again deputed by his fellow-ministers to go to England at the beginning of 1660. Monk sent him to Breda to explain Scottish affairs to Charles II., and from this time he became a regular means of communication between the court and the moderate presbyterians. The common charge against Sharp is that he was a deliberate traitor, that he lulled the presbyterians into a false confidence, and that all the time he was scheming for the restoration of episcopacy, and for the primacy of the Church as his reward. To defend his character for consistency and good faith in the face of overwhelming evidence is impossible. And yet the accusation seems scarcely to hit the mark. Sharp was supple rather than strong, the creature rather than the maker of circumstances. If Lauderdale had been able to make a more successful defence of presbyterianism, there is little reason to think that Sharp would have ventured to thwart him. He desired power and influence, and he sought to gain them by espousing the stronger side. When he saw that Middleton would carry the day he found his advantage in an alliance with him. Once committed to a course he went to extremes, as all weak men do in similar conditions, and sought to suppress criticism and condemnation by persecution.

The distribution of Scottish as of English offices was based

[1] Burnet, i., 187.

upon a compromise between the two rival sections. Middleton was appointed lord high commissioner, and thus became the representative of the absent king in Scotland. Glencairn was made chancellor, and Rothes, with general approval, was to be president of the council. On the other hand Crawford was made treasurer, and the secretaryship, once a subordinate office but now of immense importance because it involved constant attendance on the king, was secured by Lauderdale in spite of the opposition of Hyde and Middleton. The office of lord clerk register, which gave its holder an influential part in the drafting of legislative measures, was conferred upon Sir Archibald Primrose. CHAP. II.

The question of amnesty in Scotland should have been easily settled, and if the same lenity had been shown as in England nobody should have been put to death. For in Scotland there had been no regicides, and all offences against Charles I. had been already condoned by an act of indemnity approved by Charles II. in 1651. It is true that since then Scotland had submitted to Cromwell; but the submission had been in the main involuntary. So eager were the people for the restoration of the Stewart dynasty that there was no danger of a Scottish rebellion until it was kindled at a later date by persecution. But the very loyalty of Scotland rendered needless that strict moderation which political considerations forced upon English statesmen. Although fourteen persons were executed in England and only four in Scotland, it must be remembered that these four were sentenced on charges which would have justified hundreds of deaths in the south. And further punishments were inflicted by way of fines which would have provoked general resistance if they had been imposed in England. This comparative severity is to be explained partly by the absence of any such strict control as was exercised in England by Hyde and by the king, and partly by the extreme bitterness of personal and religious feuds in Scotland.

Among the Scottish nobles who hurried to London to greet the king was the Marquis of Argyle, the most powerful supporter of the extreme covenanters. His numerous enemies were resolved that he should have no chance of appealing to the clemency of Charles. Not only was the demanded

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audience refused, but Argyle was kept a close prisoner in the Tower until there should be a court in Scotland competent to conduct his trial. About the same time Sir James Swinton, one of Cromwell's chief confidants in Scottish affairs, was also arrested in London, and a warrant was despatched to Scotland for the seizure of Alexander Johnston, Lord Wariston. He had been active in almost every measure of resistance, from the national covenant to the western remonstrance, and though for a time he had been out of office under the Commonwealth, he had gained Cromwell's favour in 1657, and had been summoned by him to his "second house". Charles regarded Wariston with special aversion, and was much annoyed when he evaded arrest by escaping to Hamburg and thence to France.

In August, 1660, Glencairn was sent to Scotland to establish something like a regular government with the help of that committee of estates which had been so dramatically pounced upon by Monk at Alyth in 1651. Their first act was to disperse an assembly of remonstrants and to imprison their leader, James Guthrie. Another prominent minister, Patrick Gillespie, was also committed to prison. The alarm which these measures might have excited for the security of presbyterianism was allayed by a letter from the king which was read to the presbytery of Edinburgh on September 3. In it Charles declared his "resolve to protect and preserve the government of the Church of Scotland as settled by law without violation, and to countenance in the due exercise of their functions all such ministers who shall behave themselves dutifully". This letter, the Scottish analogue to the declaration of October 25 in England, was the outcome of an important meeting of the council at Whitehall to consider Middleton's instructions. The earl himself, an impetuous soldier rather than a politician, was eager to restore episcopacy, and to put down all opposition to the royal will. But Lauderdale, "with more advantage of elocution than the fatness of his tongue, that ever filled his mouth, usually was attended with," and with many astute appeals to Charles' experience of presbyterian obstinacy, urged the danger of such a hasty proceeding, and succeeded, with Monk's support, in inducing the king to postpone the settlement of the Church question. The result of

this decision was the drafting of the deliberately ambiguous letter to the Edinburgh presbytery, which Middleton stigmatised as unworthy of the king.[1] When the commissioner set out in December his formal instructions urged him to do all in his power for the full restoration of royal authority, but said nothing about the Church. But he had secret commands, or at any rate a private agreement with Hyde, to test the willingness of the Scots to return to episcopal government. Its revival would serve two purposes. It would diminish the isolation of Scotland from England, and it would strengthen the monarchy by restoring to the Scottish parliament an estate which had always been the docile agent of the crown.

The parliament which was opened in Edinburgh on New Year's day, 1661, was even more loyal, and far more reckless in its loyalty, than the cavalier parliament which met four months later at Westminster. With no pledge of amnesty to bind him, Middleton had little difficulty in inducing the assembly to go all lengths in restoring the royal prerogative. Its first act, after ordering the honourable burial in St. Giles' of the remains of Montrose, was to revive the committee of the articles. Each estate separately chose twelve representatives, but it was expressly provided that this should be "without prejudice of any course the king's majesty shall think fit to take hereafter as to the number or manner of election". To the thirty-six nominees with the five officers of state was entrusted the duty of framing all statutes, and the composition of the committee assured the absolute control of Middleton and his associates. An act was passed declaring the choice of all ministers and privy councillors to be "an inherent part of the royal prerogative". It was laid down that the king alone had the right to call, hold, prorogue, and dissolve parliaments, and that no acts were binding without the approval of the king or his commissioner. The king was to have the sole power of making war or peace and the sole command of the militia and all armed forces. The convention of estates of 1643, which had agreed to the solemn league and covenant, was annulled and its acts rescinded. The "engagement" of 1648 was formally approved, and the surrender of Charles I. to the English was condemned in the strongest terms. All public

[1] Burnet, i., 198; Clarendon, *Life*, ii., 101-7.

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While the prerogative was being buttressed by a series of statutes, and Primrose exhausted his vocabulary in the exuberant loyalty of their preambles, the parliament proceeded at first with much more cautious steps in the matter of religion. But within two months moderation became distasteful to men who had grown accustomed to having their own way, and who, according to Burnet, "were almost perpetually drunk".[1] A bill was hastily drawn up to repeal the acts of the pretended parliaments of 1640, 1641, 1644, 1645, 1646, 1647, and 1648. As those of 1643 and 1649 were already annulled, this amounted to a repeal of all legislation since 1633, and a complete abolition of the existing constitution of the Church. It was vainly urged that in 1641 Charles I. had been present in person and had approved the acts of that year, and that the parliament of 1648 had confirmed the much-lauded "engagement". The ardent royalists answered that the king had not been a free agent in 1641, and that all the parliaments had been faulty in composition. This "act rescissory," the most important measure of the session, was passed on March 28, and was immediately confirmed by Middleton without waiting for any reference to the king.

To reassure the now trembling presbyterians, an act was passed on the same day by which the king was pledged to maintain the true reformed protestant religion, to settle the government of the Church "in such a frame as shall be most agreeable to the word of God and most suitable to the monarchical government," and in the meantime to "allow the present administration by sessions, presbyteries, and synods". Other measures, some of which seem strange as coming from the dissipated ring which surrounded the commissioner, were adopted to allay the scruples of those who thought prelacy closely akin to popery, and of others who believed that strict

[1] Burnet, i., 220.

presbyterian control was necessary for the suppression of vice and evil living. Jesuits and trafficking papists were forbidden to say mass, and were ordered to quit the kingdom within a month under pain of death. The children of popish parents were to be taken from them and entrusted to some well-affected and religious friend. Blasphemy was to be punished with death. Swearing and excessive drinking were to involve a graduated system of fines, from twenty pounds Scots for a nobleman to forty shillings for a yeoman, and a fifth of his stipend for a minister. Sons and daughters over sixteen years who should curse or beat their parents were to be put to death without mercy. CHAP. II.

The legislative work of the parliament was interrupted from time to time by the necessity of discharging its judicial duties. The chief offenders who were brought to trial were Argyle, Swinton, and the two remonstrant leaders, Gillespie and Guthrie. Argyle's defence was both dignified and convincing. All acts done during the civil war had been condoned by the indemnity of 1651, and the present king, who had approved the act, had at that time admitted him to his court and favour. It is true that the marquis had submitted to the usurpation of Cromwell, but so had the great majority of Scotsmen. On the charge of complicity in the late king's death he was actually acquitted. And he might possibly have escaped with his life but for the appearance at the last minute of some letters to Cromwell which Monk had found among his papers and now sent to Middleton. These letters were held to prove a spontaneous and cordial rather than a merely compulsory adhesion to the protector, and Argyle was found guilty of treason.[1] He was beheaded in Edinburgh at the Market Cross on May 27, 1661, and he met his death with a courage which belied his popular reputation. Five days later James Guthrie was hanged on the same spot, and his fate was shared by an obscure soldier named William Govan, who was suspected of having been on the scaffold at the death of Charles I. Gillespie, the author of the Remonstrance and the most intimate clerical adviser of Cromwell, was assuredly more guilty than Guthrie, but he had wealthy friends, he was more submissive

[1] Mackenzie, *Memoirs* (Edinburgh, 1821), pp. 39-41; Burnet, i., 220-25; *Lockhart Papers*, p. 599.

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to his judges, and he had not excommunicated an irascible and revengeful soldier. He escaped with his life; and Charles, who had a vivid personal recollection of both men, did not disguise his conviction that a gross injustice was done in punishing one and sparing the other. Swinton, who had turned quaker, was allowed to live, and the tale of executions was not completed until July, 1663, when Wariston, having been apprehended at Rouen, was brought to Edinburgh and there hanged, a penalty which the most abject supplications could not induce the king to relax.

In April, 1661, Glencairn and Rothes, with Sharp in attendance, had been sent to London to explain and justify the measures of the parliament, and above all to defend the act rescissory against the hostile criticisms of Lauderdale. When parliament was adjourned on July 12, without even a proposal of indemnity, Middleton hastened to follow them, eager to magnify his services to the cause of the king and to obtain permission to complete his work by restoring the government of bishops. The whole matter was debated afresh in the council, but this time the experience of the last session made it easy to convince the king, in spite of Lauderdale, that presbyterianism could be abolished without risk of serious opposition. Glencairn and Rothes were sent back to Scotland with a letter from the king which was read to the privy council on September 5. Referring to the letter of the previous year to the Edinburgh presbytery, Charles declared his intention of restoring the Church by his royal authority to its right government by bishops, as by the act rescissory this "now stands settled by law". It remained to find men who would accept episcopal office, as only one bishop of the previous reign survived. Sharp, who had recently encouraged the king's action by minimising the hostility of presbyterians to the change in the Church, received the archbishopric of St. Andrews. The saintly Robert Leighton, a mystical eclectic, who thought more of religion than of forms of Church government, was induced to take the bishopric of Dunblane. As neither had received any but presbyterian orders, the English bishops insisted that they must first be ordained deacons and priests.[1]

[1] Burnet, i., 247.

When this had been done, they with two others were consecrated by Sheldon and Morley on December 15. Six other bishops were consecrated in Scotland, and it was noted that Sharp made no demand in their case for re-ordination.

On May 8, 1662, Middleton opened the second session of the parliament. Its first act was to invite the bishops to take their seats, "as the clergy in the right constitution of parliament represent the first estate". Accordingly the nine bishops who were present took the oath of allegiance and were at once added by the commissioner to the lords of the articles. The ecclesiastical revolution was now completed with great rapidity. On the 27th in an act said to be drafted by Sharp himself, parliament, admitting that "the disposal of the external government of the Church doth properly belong to his Majesty as an inherent right of the crown by virtue of his royal prerogative and ecclesiastical supremacy," proceeded to confirm what the king had already done, and restored the bishops to all their privileges and powers. On June 11 an act was passed for the restoration of patronage, another grievance of the covenanters, which had been abolished by the parliament of 1649. All ministers who had received benefices since that year were to vacate them unless by September 20 they had applied for and obtained presentation from the lawful patron. The two covenants were declared to be unlawful oaths, and all office-holders were to sign a declaration repudiating them and also the doctrine that resistance to the crown was lawful. All professors, schoolmasters, and teachers in private families had to receive episcopal approval; ministers who absented themselves from the bishop's visitations were to be deprived; and people were forbidden to attend any private conventicles "which may tend to the prejudice of the public worship of God in the churches, or to the alienating the people from their lawful pastors".

By these acts parliament armed the executive with ample powers to compel the acceptance of episcopal government in the Scottish Church. There was no longer any reason for delaying the act of indemnity which in the interests of order and security was urgently needed. It was therefore passed on September 9, the day on which parliament was adjourned. In itself the act was as complete and satisfactory

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as the English statute which had caused so much disappointment and chagrin to the cavaliers. But the ruling conclave was not yet prepared to abandon the prospect of personal revenge and the security for their own continued ascendency. A supplementary act was passed containing a long list of names which fills many pages of the statute-book. All these men, who had for any reason incurred the displeasure of the dominant party, were ordered to pay fines of varying amounts, and until the fines were paid in full the debtors were excepted from the indemnity. This act was rightly condemned by Lauderdale as offering an ungrateful contrast to the complete amnesty given in England.

At this juncture Lauderdale's triumphant opponents made a false move which proved their ruin. They had hoped that he might have scruples about repudiating the covenants, but he cheerfully declared that he would take a cart-load of such oaths sooner than lose his place. In their irritation Middleton and his gang devised a novel scheme for the secretary's overthrow. They proposed a further exception to the indemnity, by which twelve men, named by parliament, were to be for life incapacitated from holding office. The consent of the king was gained by urging that he ought to gratify his loyal parliament: that of the assembly by asserting that the king wished for the clause. Voting was to be secret in order that it might be fearless. Every member was to inscribe twelve names on a billet. These billets were to be examined in a separate room, and destroyed as soon as the votes had been recorded. The names of the twelve who were condemned by the majority were not to be published, but were to be sent direct to the king. By judicious hints as to the real wishes of persons in high quarters, Lauderdale, Crawford and Sir Robert Moray found places on the condemned list. The Duke of Richmond and Lord Tarbat, who was supposed to be the author of the scheme, were instructed to convey the wishes of parliament to Whitehall. But a private messenger, riding at full speed, outstripped the envoys and enabled Lauderdale to give the king his version of the whole transaction. Charles saw at once that he had been egregiously duped, and resented the attempt to compel him to dismiss one of his chosen ministers. When Richmond and Tarbat arrived they met with a chilling recep-

tion, and Charles, throwing the "billeting act" into his cabinet, declared that no action would be taken upon it.[1] CHAP. II.

Middleton himself had remained in Scotland to superintend the carrying out of the recent ecclesiastical statutes. In the greater part of the country the spirit of the presbyterian clergy had been broken by successive disappointments and by the treacherous desertion of their most trusted champion. Against the overwhelming alliance of the crown and the nobles they were as powerless as they had been between 1603 and 1637. Most of them accepted episcopal ordination and presentation from the patrons of their livings. But in the south-western counties, the stronghold of the extreme covenanting party, resistance was obstinate. September 20 passed and the acts of parliament were ignored. Middleton set out on a tour to the disaffected districts in the hope that his presence would intimidate the recusants. On October 1 he presided at a meeting of the privy council in Glasgow. All the members but one were drunk, and in this condition they approved a proclamation that ministers must comply with the law by November 1 or forfeit both church and stipend. The date was subsequently changed to the following February, but the delay had little effect, and nearly three hundred ministers refused to sacrifice their conscientious scruples. To make matters worse the bulk of their congregations followed them. Most of the churches and manses in the south-west were closed until clergy could be hastily ordained to fill the vacant posts. And these "curates," as they were called, found few to listen to their ministrations.[2] The policy of Middleton had prepared the way for a new religious war, on a smaller scale and with less vital issues than that of 1638, but waged with equal obstinacy.

Meanwhile Tarbat had returned to Scotland with the news of what had passed in London, and Middleton hurried to England to confront the threatened attack of his adversary. On February 7, 1663, at a meeting of the Scottish council, Lauderdale denounced the conduct of the commissioner with

[1] *Lauderdale Papers*, i., 108-20; Mackenzie, *Memoirs*, pp. 73-77; Burnet, i., 263-65.

[2] Burnet, i., 269-70; Wodrow, i., 324. For the acts of the council, see *Register of the Privy Council of Scotland*, 3rd series, i., 270, 313.

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passionate vehemence. Middleton's defence was halting and inadequate.[1] For a time he was upheld by Clarendon's support, but the secretary's influence was steadily on the increase, and when in May the third session of the parliament approached the commissionership was transferred to Rothes. Middleton retired for some years into private life. In 1667 he was appointed governor of Tangier, where he died four years later of a drunken fall.

Although Rothes represented the king in the session of 1663, he was over-shadowed by Lauderdale, who left Sir Robert Moray to do his work at court, while he himself took his seat among the nobles and schemed to complete his triumph over his opponents. He had no easy part to play. He must convince the king that he was a more successful upholder of prerogative than Middleton had been. He had to enforce his will upon a parliament which had been the docile tool of his rival. He must pacify Glencairn and Sharp and other episcopalians by showing that he was no enemy of their Church. At the same time it was eminently desirable that he should do something to conciliate the presbyterians, who had regarded him as their loyal if unsuccessful supporter. On the whole he succeeded in almost all his designs. The first act of the parliament was to restore the method of choosing the lords of the articles which had been adopted in 1633. The bishops chose eight nobles, and the nobles chose eight bishops: then the sixteen nominees[2] chose eight barons and eight burgesses. The commissioner added the officers of state and the committee was complete.

This constitutional change completely secured the subservience of the Scottish parliament to the crown. "Nothing," said Lauderdale himself, "can come to the parliament but through the Articles, and nothing can pass in Articles but what is warranted by his Majesty, so that the King is absolute master in parliament, both of the negative and affirmative."[3] Of their own accord the parliament offered to the

[1] Mackenzie, *Memoirs*, pp. 78-113; Burnet, i., 359-63.

[2] It is a disputed question (see *Lauderdale Papers*, i., 138) whether in 1633 the barons and burgesses were chosen by the sixteen elected bishops and nobles, or by all the bishops and nobles collectively. See on the whole question Airy's note to Burnet, i., 209.

[3] *Lauderdale Papers*, i., 173.

king 20,000 foot and 2,000 horse with arms and provisions for forty days. These troops were to be raised in proportion from the various shires, and were to be ready to march at the royal command "to any part of his dominions of Scotland, England, or Ireland, for suppressing of any foreign invasion, intestine trouble, or insurrection". And on the very last day an act was hastily carried which practically gave to the crown the whole control of foreign trade and the power of imposing customs at pleasure. To gratify Lauderdale, the billeting act was condemned in the strongest terms, and whereas the lords of the articles had inserted a clause to prevent any one being called to account for his part in the proceedings, the parliament for once insisted on amending their proposals, and struck the clause out. CHAP. II.

The episcopalians were conciliated by the confirmation of the ecclesiastical statutes of the previous session, and by strict injunctions to the privy council to enforce them against recusant ministers. The parliament then proceeded to coerce the congregations. All persons were bound under heavy penalties to attend divine worship in their own parish church. This act, known as "the bishops' drag net," became extremely prominent in the persecuting measures which followed. The confident hopes of the presbyterians were doomed to disappointment. The only sop thrown to them was an act for the establishment of a national synod. In itself the act contained very considerable concessions. Besides bishops, deans, and archdeacons, the synod was to contain all moderators of meetings allowed by the bishops, and a presbyter or minister elected by each of such meetings. This was a substantial recognition of a limited sort of episcopacy, and a considerable departure from the extreme wording of the act which had restored episcopal rule in 1662. But the act remained a dead letter and was never enforced.

On October 9, the Restoration parliament was dissolved after all the members had "ridden" in procession from Holyrood to the parliament house. Scotland returned to "the good old form of government by his majesty's privy council, and all suits at law to be decided by the session". Lauderdale had made the king master of Scotland as no previous monarch had been, and he had made himself, for the time at any rate,

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the indispensable adviser of a despotic king. He had gratified his national prejudices by excluding English claims to intervention or domination in Scotland. There was no longer any pretence of consulting Clarendon or other English councillors. The Scottish council at Whitehall consisted of the king, Lauderdale, and Sir Robert Moray.

A comparison between the results of the Restoration in England and in Scotland is more fertile in contrasts than in similarities. In both countries there was a violent reaction against the principles which had recently been dominant in Church and State, and in both the reaction tended to strengthen monarchical and episcopal authority. But in England the outburst of enthusiastic loyalty to the crown was soon spent. Within the very parliament which Macaulay describes as "more zealous for royalty than the king, and more zealous for episcopacy than the bishops," a formidable opposition grew up, and succeeded within seven years from the king's return in imposing serious and permanent restrictions on the royal power. The restoration of the Church, on the other hand, proved to be permanent, though the attempt to maintain compulsory uniformity was frustrated by the obstinate persistence of dissent. But in Scotland the precise opposite took place. The episcopal organisation of the Scottish Church was always insecure, commanded no large measure of popular support, and was ready to collapse the moment it ceased to be upheld by the strong arm of the executive. On the other hand, royal absolutism was constructed on very firm foundations. Nobles and gentry were loyal through interest; the bishops, because their very existence depended on the crown; the burghs, because the declaration against the covenants and in favour of passive obedience excluded all but loyalists from the municipal councils which chose the commissioners to parliament.[1] The privy council was composed of nominees of the crown, and was omnipotent during the intervals when no parliament was called. The crown had a permanent revenue which could be supplemented by arbitrary customs, and the services of an organised force capable of suppressing all attempts at rebellion. So strong was the structure of absolutism that it was practically

[1] *Register of the Privy Council of Scotland*, 3rd series, i., 45-46, 473, 508.

unassailable, and if Scotland had been isolated from England, it is difficult to see how it could have been overthrown.

There can be no doubt that Scotland was for the moment gratified by the recovery of its independence, of its own parliament, law-courts, and privy council. In their exultation at this, men overlooked for a time the selfishness of the small oligarchy to whose hands the king entrusted the government, and the loss of trade and wealth which resulted from the rupture of the union. Yet the independence was more illusory than real. The rulers of Scotland were dependent upon the favour of the king, and the king was inevitably guided in the long run by the interests of the larger and more wealthy kingdom in which he lived, rather than by those of the poorer and less important country whence his ancestors had sprung, but which he never deigned to visit after his return from exile. And as long as separation continued, Scotland could hardly hope to emerge from its poverty and its backward civilisation. The navigation act of 1651 was a protective statute for Britain; the navigation act of 1660 was drawn up in the interests of England. In all essentials Scotland was treated as a foreign country. After vain remonstrances against this measure,[1] the Scottish parliament in 1661 passed a navigation act of its own, which decreed that goods were to be imported into Scotland only in Scottish ships or in ships of the country in which they were made or grown, and that otherwise goods were to pay double duties, including those in English and Irish ships, unless Scottish vessels were admitted to equal privileges in the trade with those countries. And in 1663 heavy customs were imposed upon imports from England. But the retaliation was too ludicrously unequal to have any chance of success, and only resulted in additional loss to the country which attempted so hopeless a game. The sole gain to be set against the misgovernment and economic loss which followed the Restoration is that these evils helped to weaken the excessive love of independence, and thus facilitated the conclusion of the great Act of Union in the early years of the eighteenth century.

[1] *Cal. S. P. Dom.*, 1661-62, pp. 74, 135.

CHAPTER III.

THE RESTORATION IN IRELAND.

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If there were substantial arguments for maintaining the union between England and Scotland, there would seem to be, especially in the seventeenth century, overwhelming reasons for upholding the union between England and Ireland. It was an age in which religion dominated all other interests, and in which anti-papal feeling was at its height. English supremacy in Ireland rested upon protestant ascendency, and protestantism could hardly have any stronger security than the representation of Ireland in what must be a preponderantly English parliament. Yet the Irish union seems to have been abandoned with even less hesitation than was shown in the case of Scotland. In a way this was natural. The three kingdoms had been united at the same time and by the same detested government. If separation was granted in one case, it could hardly be refused in the other. And if from the point of view of religion there was greater danger in the severance of Ireland, from the point of view of politics the risk was appreciably less. Scotland was an independent state which had been momentarily annexed. It now recovered complete independence, and might even under certain circumstances pass to a king who was not the king in England. Ireland, on the other hand, had been a subject state, nominally since the twelfth, and in reality since the sixteenth, century. It had not been independent before the civil war, and its severance from the union was only the substitution of one form of subordination for another. The Scottish parliament, in spite of its defective composition and rules of procedure, was in theory a sovereign assembly. The Irish parliament, since the enactment of Poynings' law, was under the strict control of the English privy council, which regulated both the initiation

and the form of laws. The English parliament had no power whatever to legislate for Scotland; whereas over and over again it had passed statutes which were held to be binding on Ireland. In these circumstances there appeared to be little risk to England in restoring a separate Irish parliament.

In the interests of the monarchy the same arguments might be advanced in favour of Irish, as were actually advanced in favour of Scottish, independence. Lauderdale was endeavouring to do in Scotland what a generation before Strafford had deliberately attempted in Ireland, to organise a state which should be absolutely submissive to the king, and ready if necessary to help in coercing England into the like submission. If the work of Strafford was to be resumed under more favourable auspices, it would be an easier task if Ireland had its own legislature than if it was united with England.

The settlement of the Church, the most thorny problem in England and in Scotland, gave rise to comparatively little difficulty in Ireland. The established Church in Ireland had never been legally abolished, though it had fallen into chaotic impotence during the prolonged civil strife. Ormonde, as loyal an Anglican as Hyde, persuaded Charles II. to assume that the old Church organisation revived as a matter of course. The surviving bishops were restored to their sees, and the vacancies were all filled within a year from the king's return. In every act dealing with the land the restoration of ecclesiastical estates was insisted upon. The only outstanding difficulty was that many churches in Ulster and elsewhere had passed into the hands of presbyterians and other sectaries, who were supported by the Ulster Scots as well as by the Cromwellian settlers. But in 1666 the Irish parliament passed an act of uniformity on the model of that which had been enforced in England in 1662. The English Prayer Book, having been approved by the convocation of Irish clergy, was ordered to be used in every cathedral, parish church, and chapel. Every holder of a benefice was to declare his acceptance of its doctrines before the feast of the Annunciation, 1667, and every person appointed in the future must make a similar declaration within two months. No benefice might be held after September 29, 1667, by a man who had not received episcopal ordination. All clergy, professors, schoolmasters, and private tutors must

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accept the doctrine of non-resistance, conform to the liturgy, and repudiate the covenant; and schoolmasters and private tutors must also take the oaths of allegiance and supremacy and receive a licence from the bishop of the diocese.

There was one question in Ireland which was more complicated and more beset with difficulties of every kind than any subject of dispute in either of the other two countries. This was the settlement of the land. The details of the conflicting claims are of baffling intricacy, so much so that Hyde begged that "no part might be referred to him,"[1] and Ormonde, who had good reason to know more of the problem than any other minister, was extremely loath to quit the easy life of the English court to settle the disputes of his fellow-countrymen. It is possible, however, to form a fairly clear conception of the main points at issue. During the Commonwealth a revolution in the holding of Irish land had taken place. There had been a general confiscation of lands belonging to the crown, to the Church, and to defeated loyalists. This was followed by a gigantic eviction of the native Irish, who had incurred the bitter hatred of Englishmen on account of the atrocities which had been committed, or were believed to have been committed, during the great rising of 1641-43. All of them, except such as were needed to serve as labourers, were compelled to choose between exile and migration to the province of Connaught or the county of Clare, where lands were to be allotted to them. A very considerable number, amounting to some 35,000, chose expatriation, and entered the service of the exiled king or of one of the belligerent powers on the continent. The remainder accepted the offered lands in Connaught and Clare. Thus a very large area of Irish land was at the disposal of the English government.

Most of this land went to two categories of recipients, (1) the adventurers, *i.e.*, the men who had advanced money in 1642 for the suppression of the Irish rebellion, and to whom Irish land had been pledged as security by act of parliament, and (2) the soldiers, who had effected the conquest of Ireland and whose arrears of pay were to be liquidated in land at what were known as adventurers' rates. In order to effect

[1] Clarendon, *Life*, ii., 107.

this distribution Ireland was surveyed and mapped out, mainly under the direction of Dr. William Petty, formerly fellow of Brasenose College, Oxford. Petty, one of the most versatile and inventive men of his time, was subsequently an original member of the Royal Society, and received knighthood from Charles II.[1] In so vast an enterprise as the distribution of nearly half the land of Ireland there must have been a vast amount of jobbery, but that it contributed to some extent to the national welfare is testified by the words of Clarendon, who had little reason to praise its authors. "Ireland," he says, "was the great capital out of which all debts were paid, all services rewarded, and all acts of bounty performed. And, which is more wonderful, all this was done and settled within little more than two years, to that degree of perfection that there were many buildings raised for beauty as well as use, orderly and regular plantations of trees and fences and enclosures raised throughout the kingdom, purchases made by one from the other at very valuable rates, and jointures made upon marriages, and all other conveyances and settlements executed, as in a kingdom at peace within itself and where no doubt could be made of the validity of titles."[2] CHAP. III.

The primary question in 1660 was whether, or how far, this settlement, effected during the Commonwealth, should be maintained. There were strong arguments on both sides. On the one hand, the act which pledged Irish lands to the adventurers had actually if not very willingly been signed by Charles I.; both they and the soldiers had in a greater or less degree contributed to the final defeat of the Irish rebels; and their displacement would be a serious blow to "the English interest" in Ireland. It would also excite grave discontent among men whose opposition would be dangerous to the restored government. On the other hand, the money actually contributed by the original adventurers had not been spent in Ireland, but in equipping parliamentary forces in England against the king. And of the soldiers who were settled on the land a large proportion had been in the service of the Commonwealth rather than of the crown. Thus the mass of the settlers had no great claim on the royal gratitude, except for

[1] On Petty, see Evelyn, March 22, 1675; Pepys, Jan. 27, 1664.
[2] Clarendon, *Life*, ii., 218.

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their recent acceptance of the Restoration. And the settlement could not be maintained in its entirety without gross injustice to a large part of the population and to many who had been guilty of no disloyalty.[1]

The matter was complicated by many other considerations. Ireland, though less independent than Scotland, was in some respects more formidable. It was impossible to disband the troops in Ireland, and they contained dangerous elements which could only be very gradually removed. The Irish parliament, in spite of the restrictions with which it was shackled, in spite of the preponderance of protestants and their dependence upon English support, was much less servile and much more given to inconvenient and aggressive oratory than the parliament of Scotland. Rebellion was little feared in Scotland, but for some years after 1660 there was a constant dread of troubles in Ireland. And these troubles might arise from almost any class or section of the community. There were singularly few Irishmen who could claim to have been consistently and actively loyal. It is true that Ormonde could show a stainless record which no Englishman or Scotsman could surpass. In his case the English parliament, with characteristic disregard of the claims of the Irish legislature, went out of its way to pass a statute in 1660 for the restoration of all his property. But there were few whose claim to restitution could be compared with that of Ormonde. Charles himself had some leaning towards the native Roman catholics, who had been very harshly treated, and who might be made into docile subjects by a king who did not share the strong prejudice of his English and Scottish subjects against their religion. But the king could not deny that the papists had shown a dangerous amount of disloyalty. They had rebelled against Charles I. After the "Cessation" of 1643 they had given him some assistance, but when his cause seemed hopeless they had been ready to throw off their allegiance and to submit to the rule of the pope or of a foreign prince. After the death of the late king they had acknowledged Charles II. and fought against Cromwell; but their loyalty had been lukewarm; they had fought more for their own interests than for the

[1] A clear and able statement of the Irish land question after the Restoration will be found in Fitzmaurice, *Life of Sir William Petty*, ch. v.

king, and they had given very imperfect and unwilling obedience to his representatives, Ormonde and Clanricarde. CHAP. III.

And the most serious consideration of all was that Irish questions could not be settled, as Scottish questions could be settled, with little or no reference to English opinion. Many of the most vociferous claimants of Irish land were Englishmen, and the religious question in Ireland was a matter on which English opinion was extraordinarily sensitive. Not only was there an Irish council to advise the king at Whitehall, but all matters which came before the Irish parliament had to be brought before the English privy council. It is not too much to say that more vitally important business with regard to the Irish settlement was determined in London than in Dublin. This, as well as the complicated character of the questions at issue, helps to explain why the solution was so long delayed.

The first act of Charles was to confer the office of lord-lieutenant upon Monk, who had served in Ireland during the Commonwealth. But the general's presence was needed in England, and he never seems to have thought of crossing St. George's Channel. It was necessary to appoint a deputy, and the king's choice fell upon Lord Robartes or Roberts, "a sullen and morose man," who had been made a privy councillor on Monk's nomination. But he showed no desire to go over to Ireland, and his repellent manner alienated the Irish commissioners who were referred to him. It was found expedient to buy him off with the privy seal, and the government of Ireland, after rather serious delay, was entrusted to three justices, Sir Morris Eustace, who was made chancellor, Roger Boyle, created Earl of Orrery, and Sir Charles Coote, who was raised to the peerage as Earl of Mountrath. The two last had been active administrators of Ireland under Cromwell, but had earned the favour of the king by eagerly supporting his restoration.

While the government of Ireland was provisionally entrusted to subordinates, Irish interests were being strenuously prosecuted in London. The rival protestant claimants of land were united in resolute opposition to the native Roman catholics, who could make a strong appeal for royal clemency. But the advocates of the latter were injudicious enough to plead for justice rather than mercy, and to make a vigorous attack

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upon the protestants for disloyalty to the late king, and for currying favour with the usurper. They thus excited the bitter hostility of many influential men at court, they alienated Ormonde who might have gained better terms for them, and they laid themselves open to extremely damaging retorts. Not only did their opponents make the most of the blood-stained annals of the rebellion of 1641; they also brought to the king's notice evidence which he could hardly overlook of the willingness of the Roman catholics in 1647 and 1648 to repudiate English rule altogether. Thus Charles' original desire to alleviate the lot of the native Irish was checked by their own want of tact. He was also influenced by the willingness of the protestant occupiers to pay for security of tenure, and by the contention of Lord Orrery and others that, even if their claims were upheld, there would remain sufficient land at the king's disposal to satisfy all who had a reasonable claim on the royal bounty. These arguments induced him on November 30, 1660, to issue the famous declaration which became the basis of the first act of settlement.

The declaration began by providing that "adventurers" who held lands in accordance with the acts of 17 and 18 Charles I., and soldiers who had received lands in payment of arrears, should be confirmed in the estates held by them on May 7, 1659. From this general rule there were a number of exceptions. The Church and certain loyalists, such as Ormonde, were to recover the whole of their lost property. All protestants and "innocent papists" (*i.e.*, those who had not acted against the crown since October 22, 1642) were to be restored to their lands, even though they had been given to adventurers or soldiers. In all these cases the displaced holders were to receive compensation elsewhere. Officers who had served the king before June 5, 1649, collectively known as "forty-nine men," were to receive land in full payment of arrears to the value of twelve and sixpence in the pound. Papists who were not innocent were to be divided into two categories, (1) those who had taken lands in Connaught and Clare, and (2) those who had gone abroad and served the king. The former were to be bound by their own act and were to have no claim to their previous holdings. The latter, popularly called "ensign men," were to recover their lands

as soon as compensation had been found for those who were to make room for them. CHAP III.

As to the order of restoration, the protestants and innocent papists who had been deprived of all lands were to be satisfied first; then were to come the protestants and innocent papists transplanted to Connaught and Clare, who were to give up these lands, and if they had sold them were to refund the purchase-money; and lastly the papists who had served abroad. All lands, whether settled on existing holders, or restored to former proprietors, or granted as compensation for disturbance, were to pay a quit-rent to the crown of threepence an acre in Leinster, twopence farthing in Munster, three half-pence in Connaught, and a penny in Ulster. The king gratefully accepted the offer of the adventurers and soldiers to pay a half-year's profit from their land for two successive years. Two very significant clauses illustrate the great importance which was attached in Ireland to the corporate towns. No papist, whether innocent or not, was to recover lands or houses in a corporate town, but was to have an equivalent in the neighbourhood; and by the last clause no adventurer or soldier was to retain lands which before October 23, 1641, had belonged to any city or corporate town. These, due compensation being given, were to be surrendered to the crown and restored to such corporations as should show that they deserved royal favour.

The declaration was followed a few weeks later by detailed instructions to the commissioners who were to carry it out. The most important clause was that which defined by a series of exclusions what was meant by an "innocent papist". No one was to be included who, before the "Cessation" on September 15, 1643, had been of the rebels' party; or who had entered the Roman catholic confederacy before 1648; or who at any time had adhered to the nuncio's party against the king's authority; or who had been a "wood-kern" or "tory" before Clanricarde's resignation of the government. The protestants were exultant that from so extensive a definition of guilt few of the native Irish could escape.

From London the discussion of the land question passed to Dublin, where parliament was convened in May, 1661. For the first time an Irish parliament was composed almost wholly of protestants. The election of the commons was in the hands

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of the existing holders of lands and offices, and from these the papists had been so diligently excluded during the Commonwealth that they had no chance of securing election, especially in the boroughs, which returned about two-thirds of the lower house. The representatives of the adventurers and soldiers, who were in a great majority, proposed a bill to confirm the royal declaration as it stood. But the house of lords, containing the bishops and the heads of old-established families in Ireland, was by no means enamoured of the new settlers whose ascendency, established so recently under a republican administration, seemed likely to be made permanent. The lords held that the declaration had been based upon inadequate and partial information, and proposed considerable modifications. The disagreement between the two houses necessitated another appeal to London, and the Roman catholics seized the opportunity to urge their claims afresh. But the king was rather wearied than impressed by the endless wrangling about past guilt. The adventurers, more skilful in advocacy than their opponents, subscribed money to secure influential supporters among the king's advisers. The predominant interest in England was to ensure the supremacy of protestantism in Ireland, and Charles found it easier to follow than to oppose the stream. The death of Lord Mountrath and the return of Orrery to England rendered it necessary to make new provision for the Irish executive. Monk resigned the office of lord-lieutenant in November, and, in spite of Clarendon's advice, it was conferred upon Ormonde, who should have held it from the first.

Ormonde's departure was postponed for some months because as lord steward he had to receive Catharine of Braganza on her arrival from Portugal. It was not till July, 1662, that he arrived in Dublin, where the parliament met for another session. To the act of settlement, which was accepted with some reluctance by the two houses, he gave the royal assent on September 27. The preamble dwelt upon the horrible nature of the rebellion of 1641, and recounted that, after its suppression, the lands of the rebels had been given to men who had aided by money or by personal service in saving the royal authority, the British interest, and the protestant religion. It was then enacted that all lands forfeited since November

23, 1641, except those of the Church, of the university of Dublin, of Ormonde and other nominated loyalists, and of innocent protestants and papists, were to be vested in the crown, and were to be distributed by commissioners as prescribed in the declaration of November 30, 1660. CHAP. III.

At the same time a number of other acts were passed, with the object of establishing the royal authority on a firm foundation. In addition to twelve subsidies of £15,000 each from the temporality, and eight subsidies from the bishops and clergy, the "excise or new impost" and tunnage and poundage upon both imports and exports were granted as a permanent source of revenue to the king and his heirs and successors. As compensation for the abolition of feudal obligations, a permanent hearth tax was imposed. By these lavish grants the king was rendered independent of parliamentary supplies so long as he incurred no exceptional expenditure. To Ormonde, out of gratitude for his share in obtaining the settlement of the land question, the parliament voted a sum of £30,000.

As soon as the parliamentary session closed, public attention was keenly concentrated upon the proceedings of the court of claims set up by the commissioners under the act of settlement. From the first immense difficulties arose. The evidence brought before the court was tainted and untrustworthy. As the commissioners subsequently reported, "there had been evil practices used both in the forging of deeds and corrupting of witnesses, and the same was equally practised by the English as the Irish: and therefore they had been obliged to make an order not to admit the testimony of any English adventurer or soldier in the case of another adventurer or soldier; for that it was very notorious, they looked on the whole as one joint interest, and so gratified each other in their testimonies". The exclusion of English testimony was naturally resented as a proof that the commissioners were committed to the cause of the native Irish, and the outcry became almost hysterical when it was discovered that a wholly unexpected number of papists were succeeding in establishing their innocence and in obtaining decrees for the restitution of their former lands. In the first three months 187 claims were brought forward by Roman catholics, and of these only nine-

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teen were rejected on the ground of complicity in rebellion or other disloyalty.

These successful demands for restitution soon brought home to the occupants that the lands available for compensation were wholly inadequate for the purpose. And they had already been largely reduced by lavish grants to the Duke of York and to personal favourites of the king, including the greedy Lady Castlemaine. Clarendon had made vigorous protests against such ill-timed liberality, but Orrery had shown Charles how to evade the chancellor's control by passing them under the great seal of Ireland. As the surplus land diminished, the prospect of getting any payment for the officers who had served before 1649 became more and more remote. On all sides demands arose that a supplementary or explanatory act was necessary to revise the terms of the settlement. To such lengths did the protestants carry their resentment at the bare possibility of being robbed of their spoils, that plots were formed in 1663 for a general rebellion and for the capture of Dublin Castle and the person of the lord-lieutenant. The notorious Thomas Blood, who had lost the lands he had gained during the Commonwealth, was the ringleader in the latter enterprise. The plot was detected and foiled. Blood himself escaped, and seven years later tried to avenge his associates, who were put to death, by kidnapping Ormonde in the streets of London and endeavouring to carry him to Tyburn for execution.

Threats of violence might have failed to convince Ormonde and the English government of the necessity of revision, but they could not shut their eyes to the now obvious fact that the act of settlement as it stood had created more claims than could possibly be satisfied, unless the area of available land could be multiplied threefold. At the same time they were not prepared to accept the crude proposals of the Irish commons to annul the claims of the papists in the interest of the present holders. For the third time the whole question was remitted to the English council, and in 1664 Ormonde himself went to London to aid in devising a reasonable solution of the difficulty. The disputes were as prolonged and acrimonious as before, but the opponents of the adventurers made successful use of an argument which had hitherto attracted less

attention than it deserved. The Long Parliament, reduced to great straits for want of money in 1643, had in that year passed what was known as "the doubling ordinance". Every adventurer who contributed a fourth part of his previous venture was to receive Irish land to the value of twice the whole sum advanced. Thus a man who had given £1,200 in 1642 was enabled at the cost of an additional £300 to claim land to the value of £3000. These claims had actually been satisfied under the Commonwealth. It was now urged with some force that Charles was in no way bound by this ordinance. It had not received his father's assent, and the money raised had been spent not in the Irish, but in the English war. CHAP. III.

The adventurers and soldiers discovered that the English court was less well disposed to them than it had been before. The influence of Clarendon was on the decline, and the most intimate associates of Charles were disposed to religious toleration, and some of them to favour Roman catholicism. Hotly attacked and less keenly supported, the protestant occupiers found it politic to moderate their demands. They offered to surrender a third of their lands on condition that they were granted adequate security in the remainder. On this basis the terms of the explanatory act were at last drafted, and Ormonde carried them back for the approval of the Irish parliament in 1665. It was not altogether easy to induce the commons to assent. Vacant seats were filled up, and care was taken to secure the return of docile candidates. And it was necessary to make the act palatable by provisions for continued protestant ascendency. The most vital clauses were (1) that adventurers and soldiers were to be confirmed in possession of two-thirds of the land which they held on May 7, 1659, or if they had to give up these lands they were to be compensated to the extent of two-thirds; and (2) that adventurers on the doubling ordinance were only entitled to claim to the value of two-thirds of their actual contributions, even though on May 7, 1659, they possessed more. It was further provided that no Irish papist should have the patronage of livings, that no papist and no person refusing the oaths of allegiance and supremacy might purchase a house in a corporate town, and that this act and its predecessor were to be construed most liberally for the settling of protestants, "who are principally intended by these

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presents to be settled and secured". Restored papists were to pay threepence on every profitable acre in addition to other charges, and were to contribute a year's rent to the crown. Finally, the lord-lieutenant and council received power for seven years to regulate the government of corporations, and to plant with protestants the lands which had not been assigned to innocent persons. Under this clause ordinances were issued in 1672 by which all municipal officers and councillors were required to take the oaths of supremacy and allegiance and a special oath of non-resistance. In the larger towns, such as Dublin, Galway, Limerick, and Cork, the elections of magistrates were to be subject to a veto of the lord-lieutenant and council.[1]

Several years of intrigue and corruption followed before the settlement could be finally carried out. The commissioners from time to time found it necessary to refer difficult points to the lord-lieutenant and the privy council. But no further legislation was needed, and the king was not so pleased with his Irish parliament as to desire any unnecessary sessions. Ireland gradually settled down into that restless repose which was its normal condition. But there remained to the native population the memory of a great wrong and of an ineffectual effort to gain what they considered justice. Although the explanatory act had considerably cut down the claims of the Commonwealth settlers, it had given no equivalent advantage to the dispossessed catholics. The surplus land was still inadequate to meet their demands, and as time went on the king was more and more inclined to press the rights which the wording of the acts had given to the crown. The fewer the claims recognised by the commissioners, the more land remained at the free disposal of the king. Ireland continued to be the source from which rewards were given for services which could not be acknowledged without shame or opposition in either England or Scotland.[2] It may well be that many of the "innocent papists" were only innocent because their guilt could not be proved. But there were many, at least equally

[1] On the subject of Irish municipalities, see *Essex Papers* (Camden Society), i., 17-24, 314.

[2] See *ibid.*, i., *passim*, for the ill-feeling excited by the grant of Phœnix Park to Lady Castlemaine.

innocent, who were debarred by the strict limit of time imposed in the explanatory act from having their claims tried at all. The Commonwealth settlement was in the main preserved; and more than two-thirds of the profitable land which belonged to the Irish Roman catholics in 1641 had been transferred by 1675 to protestant immigrants.[1] In the continued Irish discontent which was caused by this displacement there lurked an element of weakness and disorder in the state, which might at any time be utilised by a ruler or politician willing for any reason to gratify the desire of the native Irish for restitution and revenge.[2] CHAP. III.

This danger was the more serious because English selfishness neglected what should have been an imperious duty, the conciliation of the protestant oligarchy. A prosperous Ireland might have become in time a contented Ireland. But England had not yet emerged from the crude economic conceptions which regarded the prosperity of a neighbour as an injury to herself. The navigation act of 1660 defined "English" ships as ships built in England, Ireland, or the king's plantations, of which the master and three-fourths of the mariners were English. The enumerated products of the colonies, which were restricted to the home market, were to be shipped only to England, Ireland, or some other colony. But when in 1663 a further restriction was imposed upon colonial trade, it was provided that all European goods which were carried to colonial ports must be laden in England and carried directly from England in English-built ships. The enumerated commodities must first be carried to England under forfeiture of ships and cargoes. In this act there is no mention of Ireland, and it was thereby excluded from very essential privileges which it had enjoyed under the navigation act. In 1670 this omission was followed by a statute which expressly repealed the word "Ireland" wherever it occurred in the act of 1660. Thus Ireland was forbidden to have any of that direct trade with the colonies for which its geographical position gave it considerable advantages.[3]

[1] For complaints of evicted Irish, see *Cal. S. P. Dom.*, 1671, pp. 30, 595.

[2] On the feeling of insecurity among English land-holders, see *Essex Papers*, i., 50.

[3] *Ibid.*, i., 36, 54-56.

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The jealousy of the merchants was equalled if not surpassed by the jealousy of the landed interest. English rents were falling, and blame was laid upon foreign and especially upon Irish competition. By an act of 1663 it was laid down that no fat cattle might be imported between July 1 and December 20 from any country except Scotland, nor from Scotland between August 24 and December 20 unless the prohibitive duty was paid of twenty shillings per head. Rents continued to fall, and it was said that the law was broken by Irish importers who corrupted the officials at the ports. Accordingly, in 1665 the protectionists proposed that the importation of all cattle, whether fat or lean, alive or dead, from Ireland or any other country beyond the sea should be prohibited as a nuisance. The bill was strenuously opposed by Ormonde and the Irish council, by Clarendon and other statesmen who deemed it preposterous that one part of the king's dominions should be injured to secure the prosperity of another part, and by several county members whose constituents found it profitable to buy lean cattle from Ireland and fatten them for the English market. For the time it was dropped, but it was re-introduced in the session of 1666. All opponents of Clarendon and Ormonde combined to press the measure, and the growing bitterness of party feeling was reflected in the acrimony of the debates. Lord Ossory, Ormonde's eldest son, fell foul of Ashley, who eagerly supported the bill, and taunted him with having been a councillor of Cromwell. For this he had to apologise to the house, but soon afterwards he again incurred its displeasure by sending a challenge to Buckingham, who had declared that "who ever was against the bill had either an Irish interest or an Irish understanding".[1] The measure passed both houses, and the reluctance of the king to assent to it was overcome by the argument that if he refused, parliament might withhold supplies for the Dutch war.

The policy proved to be short-sighted, economically as well as politically. The Irish could no longer send sheep to England, but they could export their wool, and sheep-breeding increased rapidly.[2] Afraid of being undersold in the continental market, the English insisted upon forbidding the

[1] Clarendon, *Life*, iii., 713. [2] *Essex Papers*, i., 172.

direct export of Irish wool except to England.[1] The Irish met this by undertaking the manufacture of their own wool. Ormonde during a later period of office introduced Walloon weavers, and Irish farmers continued to breed sheep for the supply of raw material. England lost more by the diminished demand for its woollen goods than it gained by the protection of its graziers. The fleet and other public services were injured by the increased price of meat. The Irish trade, of which the most part had hitherto been with England, was largely diverted to foreign ports, and Ormonde induced the king to give the royal licence for freedom of export. Yet the policy of restricting Irish agriculture was persisted in. In 1667 the act of the previous session was confirmed with additional penalties for disobedience, and in 1680, when the act had expired, it was not only renewed but made perpetual. At the same time the prohibition of importation into England was extended to include mutton and lamb, butter and cheese. The injustice was the greater, because at the same time heavy remittances were made every year to Irish landlords resident in England, and Ireland was over-burdened with taxation in order to provide an income for English favourites and courtiers.

[1] *Essex Papers*, i., 64, 275-78.

CHAPTER IV.

THE FALL OF CLARENDON.

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IF Charles II. had been, as to most of his subjects he must have seemed, merely a selfish voluptuary who neglected affairs of state in pursuit of his own pleasures, the history of his reign would have been modified in many ways. He would, in that case, have left the conduct of business entirely in the hands of Clarendon, who would have become a "first minister" in the French sense, as Ormonde actually wished him to be.[1] On Clarendon's death or resignation, another statesman trained in the same school, such as Danby, might have succeeded to the office. The ascendency of the cavalier gentry would have been unshaken, the parliament of 1661 might have gone on with no alteration except the filling up of vacancies, there would have been no serious strain upon the loyalty of the majority, and Charles' vices would have been tolerated as long as they were consistent with orthodoxy and with devotion to the interests of the Church.

But Charles, with all his selfishness and frivolity, was much more than a man of pleasure. Like Louis XIV. he would be his own first minister, and he had no intention of surrendering his authority to any servant, however eminent and useful he might be. Courtiers who desired to weaken Clarendon's influence had always a safe card to play in hinting that the minister was the master, and the king a mere puppet who had to dance as the strings were pulled. And there can be little doubt that the chancellor played into his enemies' hands. Conscious of the value of his services, he was apt to take too much upon himself and to regard himself as indispensable. To this natural assumption he added the creditable but indiscreet habit of lecturing the king, as he had lectured the

[1] Clarendon, *Life*, ii., 85-92.

prince, about his evil living and his unworthy associates. By this means he exasperated opponents who collectively became formidable, and put an excessive strain upon the royal sense of gratitude. Charles II. was neither the first nor the last ruler to find an old servant an intolerable nuisance.

The king had learned many things during his prolonged exile, but the supreme lesson was a profound distaste for the poverty and shifts of his early manhood. Sooner than go on his travels again he was prepared to submit to much which he deemed humiliating. To weaken opposition or to gain money, he was willing to allow parliament to assert rights of control and interference which were wholly opposed to the Stewart conception of the prerogative. So unruffled was his temper that he had no difficulty in making concessions as if they cost him nothing. He had a natural desire to please, which seemed to fit him to play the part of a constitutional monarch. Friendly and hostile critics alike bewailed his invincible reluctance to refuse a request. Yet it is certain that Charles resented the restraints that were placed upon his power, and that he was eager to escape from them if he could do so with safety. He had no wish to play the tyrant, but he was desirous to evade control.[1] He could never forget—and if he did so there were plenty of courtiers and French ambassadors to remind him—that his limited authority presented a striking contrast to the power of his cousin, Louis XIV., who had no states-general, and who had tamed the one corporation which could venture to resist the crown, the parliament of Paris. Charles could never bring himself to give as much time and energy to the task of government as Louis XIV. deliberately gave after the death of Mazarin, but he desired to emulate the French king so far as he could do so without undertaking too much work and without running the risk of another revolution. In the king's combination of indolence and ambition lies the explanation of many of the strange inconsistencies and apparent vacillations which perplex the student of his reign. He would neither govern himself nor leave others to govern for him. Love of ease constantly impelled him to allow more independence to ministers than he wished them to exercise; but he would never give them that complete confidence which

[1] See his words to Essex in Burnet (ed. Airy), i., 3.

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would have enabled them to act on a reasoned and straightforward plan.

Charles had some natural aptitudes for rule. He had that personal charm of manner which is a certain passport to popularity. He had a genuine admiration for virtues of conduct and character of which he knew himself to be devoid. He never forgot a personal service, and he could only too easily forgive a public wrong. His kindliness may not have gone very deep, but he was hardly ever angry and rarely revengeful. He had plenty of intellectual quickness and a keen insight into character. When he did throw himself into business, he could hold his own with the ablest members of his council. He had some knowledge and skill in many subjects, and especially in ship-building, in the fine arts, and in natural science. In the foundation of the Royal Society he was genuinely interested, and he enjoyed conversation with men like Sir Robert Moray and John Evelyn. But these and other merits were counterbalanced, not only by a cynical parade of debauchery which seriously weakened popular respect for the monarchy, but also by two glaring political defects. He had none of that instinctive regard for the national honour which made Elizabeth so eminent among sovereigns, and he had not that closeness of sympathy with the opinions and prejudices of his subjects which has often served as a guide to less able rulers. If he could have grown up to manhood upon English soil and among English associates, he might still have been a libertine but he would have been a better king.

During his prolonged residence abroad Charles had contracted that inclination to Roman catholicism which led to his first serious difference with Clarendon, involved him in many troubles, and at one time seemed likely to bring his reign to a disastrous close. He had been profoundly impressed by the loyalty which the English catholics collectively had shown during the civil war, and still more by the personal devotion of individuals at the time of his adventurous flight from Worcester. On the continent he had heard with some disgust of the long series of penal laws passed against popish recusants in the reigns of Elizabeth and James I. In spite of Hyde's learned exposition of the circumstances which had

justified these acts, he had been eager to promise their revocation if he could thereby purchase the aid of either of the great continental powers. He associated protestantism with Scotland, where he had to remain silent while his father's memory was loaded with obloquy and he himself lectured and preached to as a froward youth; or with republican Holland, where his relationship with the house of Orange was a hindrance rather than a help, and from which he was expelled by the treaty which united the Dutch with the English republic. He could not but contrast with his Scottish experiences the position of Louis XIV., who assuredly stood in little danger of reproof from courtly prelates. Of the Church of England he knew comparatively little, but so far as it differed from Scottish and Dutch protestantism, it seemed to approximate to the Roman catholic Church and to offer the possibility of reconciliation. Presbyterianism he held to be no religion for a gentleman,[1] but catholicism seemed to be pre-eminently the religion for a king, and especially for a king who required a large measure of indulgence. CHAP. IV.

The partiality which had its origin in such considerations as these was stimulated by intercourse with the priests and laymen whom he met at his mother's court. It was inevitable that rumours of his conversion should be spread abroad, and to this day it is uncertain how far they were justified. Ormonde is said to have seen him kneeling at mass. Bristol, who openly became a catholic, and Henry Bennet, who was quite prepared to follow his example, both believed they would gain the king's favour by sharing what they knew to be his religious inclinations. That Hyde was equally alarmed by the rumours, and by the element of truth which he knew them to contain, is proved both by his industry in multiplying official contradictions and by the act passed after the Restoration making it an offence to call the king a papist. Although there is no reason to believe that Charles had in any formal way been admitted into the Romish Church before his restoration, there is little doubt that he had contemplated such a step, and that nothing but political considerations withheld him from taking it.

The opinion, which the French ambassador Cominges attributes to Charles, that Roman catholicism was more suited

[1] Burnet, i., 195.

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to absolute authority than any other religion[1] was held by the king with surprising tenacity. For it was based upon a profound misconception, pardonable in a ruler who had been absent so many years, but which should have been corrected soon after his return. The Anglican Church, with its doctrine of passive obedience and its dependence upon royal support, was really far more easy to control than the Romish Church, with its long and magnificent traditions of domination, with its recognition of papal supremacy, and with an order of Jesuists which had not scrupled to teach that *vox populi* was *vox Dei* and that tyrannicide was praiseworthy in the interests of the Church. The misconception cost the king dear. He was pursuing two mutually antagonistic aims. To gain absolute power he must ally himself with the cavalier party, whose motto was Church and Crown. As long as the two interests were combined, the cavaliers were as loyal as any king could wish. But the moment the king, in order to give relief to any recusant body, neglected or seemed willing to sacrifice the interests of the Church, they did not hesitate to impose restrictions upon the monarchy in order to prevent such an abuse of its authority. Then Charles was driven to strive for religious toleration in alliance with the protestant dissenters, the traditional opponents of anything like despotism, and reluctant even to accept redress of their own wrongs if it must be shared with the papists. It took some twenty years before Charles fully realised that his two desires were irreconcilable, that he must choose either one or the other, and that his secular aim was infinitely easier of attainment than the ecclesiastical. From that moment his difficulties disappeared, and he deferred till his death-bed the open avowal of his acceptance of Roman catholicism.

With the king's desires, either for reconciliation with Rome or for religious toleration, Clarendon was entirely out of sympathy. All through the prolonged exile he had strenuously resisted the queen-mother's wish to convert her sons to her own faith or to commit them to embarrassing obligations to Roman catholic powers. As long as there was any serious danger from the presbyterians, he had been willing to conciliate them and to keep them apart from the other puritans by dangling

[1] Jusserand, *A French Ambassador at the Court of Charles II.*, pp. 116, 206.

before their eyes the project of comprehension. But he had successfully evaded the demand that this should be carried into effect, and when the dissolution of the convention had reduced the presbyterians to comparative impotence, he had co-operated with Sheldon and Morley to make the Savoy conference futile, to restore the bishops to the house of lords, and to carry through parliament the corporation act and the act of uniformity. He himself says that he would have preferred the latter act to have been more moderate,[1] and this is so far confirmed that he moved a proviso in the house of lords to allow the king to give a dispensation to any minister of peaceable and pious disposition who would pay a licensed minister to perform those rites of the Church to which he had a conscientious objection.[2] But it is doubtful whether this fact can give Clarendon a claim to be regarded as a serious champion of toleration. It must be remembered that in this same year he undertook the discreditable task of overcoming the young queen's repugnance to admit Lady Castlemaine to be a lady of the bedchamber. This stands in complete contrast to his general attitude in these matters, and it can only be explained by the imperative need of maintaining the royal favour. And the apparent relaxation of his zeal for compulsory uniformity was in all probability inspired by the same motive. CHAP. IV.

Clarendon had to face a formidable group of opponents. The most open and acrimonious was the Earl of Bristol, the leader of the Roman catholic party at court, who could never pardon the chancellor for his continued exclusion from political office. Equally embittered was Lady Castlemaine, who became an avowed papist in 1663, but whose enmity was based rather on personal than on religious grounds. She never forgot that Clarendon had been her father's friend, that he regarded with grave disapprobation the daughter's shame, that he would not allow his wife to visit her, and that he resolutely opposed the king's concessions to her rapacious greed. Her rooms were the meeting place of all who for any reason desired to free Charles from tutelage. With her were associated the infamous ministers to the king's private pleasures,

[1] Clarendon, *Life*, ii., 302.

[2] Christie, *Life of Shaftesbury*, i., 263, and App. vi.; *Cal. S. P. Dom.*, 1661-62, p. 324.

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Baptist May, the Killigrews, Sedley, Dorset, Rochester, and the like. Prominent among them was Sir Charles Berkeley, afterwards Lord Falmouth, who, though he had led the disgraceful attempt to besmirch the character of Anne Hyde, continued to enjoy, not merely the favour, but the warm affection both of Charles and James. Buckingham, the Alcibiades of the day, whose attractive person and ready wit served to regain the royal grace as often as his reckless insolence forfeited it, was not yet regarded as a serious politician, but he contributed to weaken Clarendon's influence by malicious mimicry of his formal and dictatorial manner. Lauderdale was eager to undermine the chancellor's position in England in order to strengthen his own ascendency in Scotland.

There were, however, three men whom Clarendon himself regarded as his most serious rivals, though he had constantly to co-operate with them in public affairs. Lord Ashley, restless and ambitious, was the enemy of the bishops and the convinced upholder of religious toleration. Henry Bennet, who was made Baron Arlington in 1663, was a supple courtier with an easy conscience and a considerable knowledge of foreign politics. He had received in the civil war a scar on the nose which was a permanent testimonial to his loyalty, and he had been intimately associated with the king during the later years of exile. No one knew more than he did of Charles' preference for the Roman catholic faith, and it was rumoured that he and his master had been seen by Colepeper at a Romish service. All contemporary writers represent Bennet as the chief organiser of the clique which during the next five years strove to effect Clarendon's overthrow. But there was a third opponent who for a time seemed by his ability, his administrative talents, and his parliamentary eminence, even more to be feared than either Ashley or Arlington. William Coventry, one of the numerous sons of the lord keeper of Charles I.'s reign, belonged to a family which had many influential connexions in the political world. One sister was the first wife of Lord Ashley; and another was the mother of Sir George Savile, afterwards the famous Marquis of Halifax. An elder brother, Henry Coventry, after holding several important diplomatic posts, returned to England to become secretary of state. But William was the most eminent of the lord keeper's chil-

dren. In 1660 he became secretary of the Duke of York, and in that capacity and also as commissioner of the navy he was the practical head of the naval administration. His eloquence and character made him the most influential member of the house of commons. Equally ambitious and self-confident, he seemed capable of the highest office, and nobody would have been surprised if on Clarendon's downfall Coventry had become the chief minister of the crown. Clarendon himself[1] rather grudgingly admits that "his parts were good if he had not thought them better than any other man's; he had diligence and industry which men of good parts are too often without; and he was without those vices which were too much in request, and which make men most unfit for business and the trust that cannot be separated from it". CHAP. IV.

Clarendon's position was seriously weakened in 1662 by the departure of Ormonde for Ireland, and by the failure of Middleton to hold his own against Lauderdale in Scotland. A still more serious blow was dealt to him by the successful intrigue which substituted Henry Bennet for the veteran Nicholas as secretary of state in October, 1662.[2] The chancellor's enemies were now emboldened to take active measures against him. Their plan was to urge the king to carry into effect his tolerant policy, and so to widen the gulf which separated the chancellor from both Charles and James in ecclesiastical affairs. On December 26, the king issued what is sometimes called his first declaration of indulgence. In this he announced his intention of asking parliament to pass a measure to "enable him to exercise with a more universal satisfaction that power of dispensing which he conceived to be inherent in him". In accordance with this promise, as soon as parliament met in February, 1663, Lord Robartes introduced a bill into the house of lords to allow the king, by letters patent or otherwise, to dispense with the act of uniformity and any other laws "requiring oaths or subscriptions, or which do enjoin conformity to the order, discipline, and worship established in this Church". The bill was eagerly supported by

[1] *Life*, ii., 349; see also Burnet, i., 478.

[2] *Cal. S. P. Dom.*, 1667-68, p. 58; *Lords' Journals*, xii., 154; Clarendon himself asserted that he had but little influence after Nicholas was removed.

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Ashley,[1] and the king made no secret of his desire that it should become law.

Clarendon was in a dilemma. To oppose the bill was to risk the royal displeasure: to support it was to weaken the Church settlement which he had so triumphantly effected. But the cavalier majority in the lower house had no such misgivings or hesitation. The commons denounced the royal declaration, and demanded the banishment of Jesuits and Roman catholic priests. The toleration bill, after passing two readings in the house of lords, was dropped in committee. The king had met with the first resolute opposition from the party which professed devotion to the crown, and he had been compelled to give way. In spite of Clarendon's professions of neutrality, in spite of his absence from the house on the plea of ill-health, Charles attributed his defeat to the chancellor's hostility, and was more inclined than ever to favour his opponents.[2] Robartes and Ashley were admitted to the inner cabinet, in which Clarendon's ascendency was now at an end. The popular estimate of the situation is expressed in an entry in Pepys' diary under May 15, 1663: "It seems the present favourites now are my Lord Bristol, Duke of Buckingham, Sir H. Bennet, my Lord Ashley, and Sir Charles Berkeley, who among them have cast my Lord Chancellor upon his back, past ever getting up again".

At this critical moment Bristol threw away all the advantages which he and his associates had gained at the court. On July 10 he appeared in the house of lords and impeached Clarendon of treason on the wildest and most absurd grounds. The king openly expressed his displeasure at this attack upon an old and trusted servant, and the Duke of York rose in the house to defend his father-in-law. Bristol persisted in pressing his accusation. Cominges expressed his astonishment at an episode so unintelligible to a Frenchman. "It seems to me," he writes to his employer, "that I am transported to the antipodes when I see a private individual walking the streets, sitting as a judge in parliament, and receiving visits from the members of his cabal, after having brought a capital charge against the first officer of the state, who is on the best terms

[1] See Christie, *Life of Shaftesbury*, i., 266-69; Clarendon, *Life*, ii., 471.

[2] Clarke, *Life of James II.*, i., 428; Clarendon, *Life*, ii., 474.

with his master, supported by the queen-mother, and father-in-law to the heir of the crown."[1] There could be only one end to such preposterous proceedings. The judges decided that one peer could not impeach another, and that Bristol's charges did not amount to treason. Bristol was forced to go into hiding in order to escape an order for his imprisonment.

The anti-Clarendon clique had to suffer for the folly of their colleague. The chancellor recovered his influence at court and renewed his intimate alliance with the Anglican party. In August, 1663, Sheldon succeeded Juxon as archbishop of Canterbury. The cavaliers were enabled in 1664 to return to the task of completing the settlement of Church and State, which had been interrupted by the attempt of the king and his new intimates to divert it to other lines. The triennial act of the Long Parliament was now repealed, though an express proviso was introduced that parliament must meet at least once in three years. In the same session, by way of reply to the king's scheme of toleration, the harsh conventicle act was passed. A conventicle was defined as a meeting for worship, other than that of the Church of England, at which in all more than four persons were present outside the limits of a private family. Attendance at such conventicles was prohibited under severe penalties. The act was to remain in force for three years.

Even this act failed to satisfy the jealous exclusiveness of the dominant churchmen. While London was decimated by the great plague of 1665, many presbyterian ministers remained to attend and comfort their former flocks, and some even ventured to re-enter the churches which were deserted by the legal incumbents.[2] Alarmed by the revived popularity of the nonconformists in their old stronghold, the parliament at Oxford in 1665 drew up a statute which has been handed down to infamy as the five-mile act. The silenced ministers, who had lost everything by their refusal to comply with the tests of the act of uniformity, were called upon to take an oath, by which they declared resistance on any pretext whatever to be unlawful, and pledged themselves not to

[1] Jusserand, *A French Ambassador at the Court of Charles II.*, pp. 105, 106, 214.

[2] Burnet, i., 400.

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endeavour any alteration in the government of Church or State. If they refused they were forbidden, under a penalty of forty pounds and six months' imprisonment, to approach within five miles of any corporate town, or borough, or of any parish in which they had previously taught or preached. It was even proposed, and only defeated by six votes, to impose this oath upon the whole nation.[1] This was the end of the promises of liberty to tender consciences which had been made from Breda, and of the projects of comprehension which had been held out to the presbyterians as a reward for their services in bringing about the Restoration. They were now permanently excluded from the Church, the public exercise of their worship was proscribed, and their ministers, unless they would give an impossible pledge, were subjected to intolerable restrictions.

Defeated in their domestic schemes, Clarendon's enemies continued to oppose him in the domain of foreign politics. By diligently thwarting his pacific intentions, and by stimulating the eagerness of the Duke of York to gain naval distinction, they succeeded in involving the country in a war with the Dutch. There were plenty of causes for hostility. The Dutch resented the renewal of the navigation act, and their jealousy was excited by the English acquisition of Bombay and Tangier. In every part of the world there were colonial and mercantile disputes between the two countries. The Dutch East India Company refused to surrender the small island of Polaroon or Pularum, the only English possession in the Spice Islands, which had been captured in the time of the Commonwealth. On the mainland of India they concluded treaties with native states under which they claimed the right to obstruct English trade and to confiscate the property of English merchants. Both countries competed for the possession of Guiana, and in North America the Dutch had founded the New Netherlands in the district between New England and Maryland, to which the English based a claim upon prior occupation. But the most prominent immediate quarrel was on the west coast of Africa. In 1661 Charles had founded an African company to carry on the lucrative

[1] Christie, *Shaftesbury*, i., 293.

export of gold and negroes from the Guinea coast. From the gold thus obtained were struck in 1663 the first coins which received the name of guineas. But the operations of the company, of which the Duke of York was the president, were impeded by Dutch settlements at Cape Corso and elsewhere along the coast. It was easy for Coventry and Arlington, who acted together in this matter, to induce parliament to listen to the urgent demands of the merchants that their grievances should be redressed.[1] And these demands were backed up by the Duke of York, who urged upon his brother that the expense of the war would be covered by the capture of valuable spoils, that all domestic discontent would be removed if the monarchy could emulate the naval triumphs of the Commonwealth, and that England was never so well prepared for a maritime war. Charles himself had no love for the Dutch, and had his own private quarrel with the dominant party, which excluded his nephew, William of Orange, from the stadholdership and other offices in the United Provinces.

But in spite of the many incentives to a quarrel, there were overwhelming arguments against a rupture. Louis XIV. had married Maria Theresa, the elder daughter of Philip IV. of Spain and, by Castilian law, the presumptive heiress of the Spanish crown after her half-brother Charles, whose health gave no promise either of issue or of a prolonged life. To prevent the possibility of the inheritance passing to the house of Bourbon, the infanta made a formal renunciation, confirmed in the marriage treaty, of her eventual claim to succeed in Spain. Her half-sister, Margaret, who by this act became next in succession to her brother, was married to the Emperor Leopold, with the deliberate purpose of securing the ultimate succession in Spain to the Austrian Hapsburgs. But Louis XIV. had determined from the first to disregard his wife's renunciation, and to acquire for France the whole or part of the vast Spanish inheritance. For forty years French diplomacy was guided by the desire to find pretexts or opportunities, or to create advantageous conditions, for carrying out this purpose. Two lives, those of Philip IV. and Charles, stood between Louis and the whole succession, but he was already prepared

[1] *Cal. S. P. Dom.*, 1663-64, pp. 541, 561, 562, 572, 617; 1670, p. 695.

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to claim a part on the death of the former. By a local custom of Brabant, known as "devolution," the children of a first marriage had a prior claim to the lands of their parents over those who were born from a subsequent union. On the arbitrary and unfounded assumption that this custom applied to the sovereignty of the province, Louis maintained that Maria Theresa, the only child of Philip IV. by his first wife, was entitled to succeed her father in Brabant and other parts of the Spanish Netherlands in preference to her younger half-brother. The French king's intention to assert this preposterous claim was known to John de Witt, the grand pensionary of Holland, and should have been known to Charles. Nothing could be more dangerous to English and Dutch interests than the establishment of French power in the Spanish Netherlands. Nothing could be so well calculated to avert such a catastrophe as a cordial understanding between the two great maritime powers. And nothing was more likely to facilitate French aggression than a naval war in which the resources of the two rival states would be impaired or exhausted.

It should have been easy to come to a peaceful settlement of the questions at issue between the English and the Dutch. De Witt had no desire for war, and Charles, under the guidance of Clarendon and Southampton, was equally inclined to peace. Yet, in the course of 1664 acts were committed on both sides which rendered war inevitable. The blame for this rests in the first place upon the Duke of York, who joined the opponents of his father-in-law in urging England into war, and upon Downing, the English agent at the Hague, who deliberately inflamed the quarrel by presenting the English demands for redress in a most offensive manner. Both governments laboured under misapprehensions. In England it was believed that France, bound to England by common interests in Portugal and by the recent bargain about Dunkirk, would induce the Dutch to give way at the last minute, and that provocative measures might be employed without risk of a rupture. On the other hand de Witt, who had concluded a defensive alliance with Louis XIV. in 1662, was convinced that England would never face a quarrel with France and Holland combined, that the restored government was not strong enough at home to venture upon a foreign war, and

that Clarendon and Southampton were still sufficiently influential to prevent the king from following other counsels. It must further be remembered that in those days of tardy communication trading companies possessed so much independence that their actions were not necessarily held to compromise the home government. Two countries might be at peace with each other, while their merchants were fighting in another continent.

These considerations explain to some extent the action of England. Without a declaration of war, and in fact without having decided to go to war, the king in 1664 lent two ships to the African company which were despatched under Robert Holmes to Guinea to occupy the Dutch stations along the coast.[1] About the same time Charles conferred upon his brother the disputed territory in North America, and James, again borrowing two men-of-war from the royal navy, sent Colonel Richard Nicholls to take possession.[2] The Dutch were too weak to resist, and Nicholls altered the name of New Netherlands to New York in honour of his master. De Witt, believing from the reports of his ambassador that England was playing a game of bluff, determined to retaliate. De Ruyter, who had been employed in the Mediterranean to coerce the Algerine pirates, received orders to sail to the west coast of Africa, and there not merely to regain the lost stations, but to dispossess the English company of all their factories in Guinea. On receipt of this news an English fleet was fitted out to intercept de Ruyter, but it was kept in home waters by the report that the Dutch were equipping a larger force under Obdam.

After these events it was almost impossible to arrange a compromise, and Charles' reluctance was overcome when parliament, which met in November, 1664, voted the unprecedented supply of two millions and a half. For the raising of this huge sum the old system of subsidies was finally abandoned, and parliament adopted the direct assessments which had been introduced by the Long Parliament. War was formally declared on March 4, 1665. In May the Duke of York, with Prince Rupert and Lord Sandwich as next in command, put to sea with a fleet "than which the nation never hitherto had

[1] *Cal. S. P. Dom.*, 1664-65, pp. 235, 243.
[2] *Ibid.*, 1663-64, p. 578; 1664-65, p. 60.

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seen one so glorious and formidable". On June 3, an obstinate battle off Lowestoft resulted in the blowing up of Obdam's flagship and the flight of the Dutch. A vigorous pursuit would probably have resulted in the annihilation of the enemy's fleet, but the remaining ships were allowed to make good their escape to the Texel.[1]

The general exultation at so great a victory in the first battle of the war was overshadowed in London by the panic inspired by the great plague. This pestilence, still a constant terror in the east and imported from time to time into Europe, made its first appearance in the capital during the winter of 1664-65. As spring advanced the outbreak became more serious, but its full virulence was not displayed until it was fostered by the heat of an unusually dry summer. Mere figures[2] give little idea of the horror excited by the frightful character of the disease itself, by the suddenness of the contagion, and by the recklessness which a sense of unavoidable peril engendered among the populace. All who could afford to move, and were not bound by some special reason to remain, made their escape from what seemed to be an accursed city. The queen-mother returned for the last time to France, where she continued to reside till her death in 1669. The king transferred his residence, first to Hampton Court, and then for greater security to Salisbury. His brother, who had quitted the fleet, was sent to York to guard against a rising of the northern fanatics. The Duke of Albemarle, whose dogged courage was proof against the dangers of pestilence as of war, was left to represent the government in London. In the autumn the weekly deaths rose to over 7,000,[3] and it was not until the winter that the virulence of the disease abated, and London began to resume its normal mode of life. The plague "broke the trade of the nation, and swept away about a hundred thousand souls".[4]

So great a calamity could not but cause a feeling of national depression, and this was increased when it became apparent that the war, in spite of its glorious beginning, was not to be

[1] Clarke, *Life of James II.*, i., 415-33; Burnet, i., 391-93; *Commons' Journals*, April 17, 1668; *Cal. S. P. Dom.*, 1664-65, pp. 407-9, 420, 423.

[2] See *Cal. S. P. Dom.*, 1665-66, Pref. p. xv. In 1665 the deaths in London from the plague were 68,596. Other towns, especially Norwich, suffered severely.

[3] See C. Creighton, *Hist. of Epidemics*, i., ch. xii.

[4] Burnet, i., 390.

carried to a triumphant issue. Sandwich, now in sole command of the English fleet, had the opportunity of inflicting irreparable damage upon the Dutch. The merchant ships from the East and West Indies and from Smyrna had not ventured on a direct return to Holland, but had crept round the north of Britain to Norway, where they had found shelter in the neutral harbour of Bergen. The destruction or capture of the immense wealth accumulated at Bergen was an enterprise which appeared to Sandwich as easy as it would be lucrative. The king of Denmark was tempted to connive at the violation of Danish neutrality by the promise of half the spoil. But the scheme was ruined by over-eagerness on the part of the English. The attack was begun before the necessary instructions had been received from Copenhagen; the land forts fired upon the assailants, and on August 3, 1665, they were compelled to retire with considerable loss.[1] Soon afterwards the Dutch fleet, with de Witt himself on board, arrived to convoy the merchantmen. A storm dispersed them on the homeward voyage, and Sandwich was able to pick up some valuable prizes. But his illegal presumption in distributing part of the spoils among his officers, instead of conveying them to the commissioner of prizes, excited even more indignation than had been aroused by the ignominious failure at Bergen.[2] The outcry was echoed by the opponents of Clarendon, who undertook the admiral's defence. Sandwich was removed from the command and was sent on an embassy to Spain.[3]

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At the same time the chancellor's influence suffered another serious blow. The lavish grant made in the previous session had already been spent or anticipated, and the parliament at Oxford was induced to vote another million and a quarter. Downing, who was regarded as a great financial authority on account of his experience in Holland, suggested that borrowing on the credit of this vote would be facilitated if the money were exclusively appropriated to the purposes of the war. The king was advised by Coventry and Arlington to approve a clause to this effect. Clarendon and Southampton urged that it was an injurious limitation of the prerogative. But

[1] *Cal. S. P. Dom.*, 1664-65, pp. 516, 520, 527.
[2] Evelyn, Oct. 27, 1665.
[3] Pepys, Dec. 6, 1665; Burnet, i., 399.

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During the winter England underwent further disappointments. The French king had resisted for several months the constant demands that he should fulfil his obligation to aid the Dutch, and had paraded a desire to mediate between the belligerents. But the death of Philip IV. of Spain in September, 1665, and the desire to assert his wife's claim in the Netherlands by the so-called "law of devolution," made it impossible for him to risk a rupture with the Dutch. If he continued to disregard the treaty of 1662, de Witt might patch up the quarrel with England, and the two maritime powers might combine for the defence of their common interests against France. Moreover, it was to the advantage of Louis that the contest should continue to the exhaustion of both states, and from this point of view it was desirable to aid the Dutch, who so far appeared to be the weaker combatant. Guided by these considerations, Louis announced in January, 1666, his intention to come to the assistance of the United Provinces. The princes of Western Germany, headed by the Elector of Brandenburg, came to terms with the Dutch, and the warlike bishop of Münster, "in his naturals rather made for the sword than the cross," who in return for English subsidies had invaded Dutch territory, was compelled by his neighbours to withdraw his forces. Thus the Dutch, freed from the danger of hostile attack from the east, were enabled to devote their whole attention to naval preparations, while England had to face single-handed the allied forces of the two great powers of the west.

The naval campaign of 1666 was on an even larger scale than that of the previous year. The English were the first to take the sea under the joint command of Prince Rupert and the veteran Duke of Albemarle. Unfortunately a double report reached England to the effect that the Dutch were still unprepared and that a French squadron was on its way from the Mediterranean. By express orders from Whitehall Rupert was detached with twenty-five ships to meet the French.[1] Meanwhile de Ruyter had already emerged from the Texel with

[1] *Cal. S. P. Dom.*, 1665-66, p. 418.

seventy-two men-of-war and more than twenty lighter vessels On June 1 Monk with his weakened fleet came into collision with this immense force in the Downs. Two days of obstinate fighting compelled the English to retire westwards, but the arrival of Rupert, who had hastened to return on hearing the roar of the guns, enabled them to renew the contest with equal determination for another two days.[1] The hostile fleets suffered so severely in this protracted struggle that both were compelled to retire in order to re-fit. Both claimed the victory, and public thanksgivings were ordered in England, but there can be no doubt that the balance of advantage was on the side of the Dutch, who had not lost nearly so many ships or men as their adversaries.[2] In spite of the exhausting character of the encounter, desperate efforts on both sides led to a resumption of hostilities within six weeks, and on July 25 another battle was fought off the North Foreland. This time the fleets were practically equal in numbers, and want of co-operation on the part of Tromp with de Ruyter enabled the English to win a complete victory. De Ruyter himself was wounded and narrowly escaped capture. This success was followed by an attack on the Dutch coast near the entrance to the Zuyder Zee, where two towns and an immense number of merchant ships were destroyed by fire. De Witt, who saw the conflagration from Amsterdam, vowed that he would take a terrible revenge. But for the moment the Dutch were powerless. Fears were entertained of a rising of the Orange party with English aid, and Tromp, who was suspected of adhesion to the cause of William, was dismissed from his command.

England, however, had even more serious troubles of her own. On Sunday, September 2, a fire broke out in London in Fish Street, near the Thames. A violent gale fanned the flames, and frustrated all attempts to check their ravages. The king displayed unusual activity in superintending desperate efforts to save the western districts of the city, and to provide food and shelter for the unfortunates who were suddenly deprived of their property and their homes. For five days the

[1] *Cal. S. P. Dom.*, 1665-66, pp. 430-34. Clifford's account of the battle to Arlington is printed in full in Preface, p. xix.

[2] *Ibid.*, pp. 442, 449; 1670, p. 710.

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conflagration raged, and when at last the wind dropped and the blowing up of houses by gunpowder stayed the further progress of the flames, two-thirds of one of the wealthiest cities in Europe had been destroyed. Medieval London, with its narrow streets of lath-and-plaster houses, the upper storeys projecting till they nearly touched each other, had almost entirely disappeared. From the Thames to Newgate and from the Tower to the Temple was a vast smoking ruin. This appalling disaster, occurring in the midst of a great war and following so closely on the ravages of the plague, excited universal dismay. The wildest stories as to its origin were circulated and believed.[1] It was attributed to the papists, to the republicans, to the French, and to the Dutch; but no evidence could be found to justify any of these inconsistent charges. A wretched lunatic, who accused himself of being the incendiary, was put to death on the strength of a confession which nobody believed.

While suspicion and depression were at their height, parliament met at Westminster for another session on September 11. It was an unfortunate moment for ministers to have to admit that previous supplies had already been exceeded and that further grants were urgently needed. The loyalty of the commons was exhausted, and the appropriation clause of the previous session served as a suggestion of distrust. Men openly declared that the enormous sums previously voted would have amply sufficed for the expenses of the war, if they had been honestly administered. A bill was proposed to examine into the public accounts, and king and ministers found themselves face to face with a parliamentary inquisition which threatened to reduce them to the position of mere agents of the legislature. Clarendon urged a dissolution, but the need for money was too pressing, and there was every probability that a general election would result in the return of a larger and more vigorous opposition. In the end, after acrimonious discussion, the bill was dropped for the session, and parliament granted a poll tax and eleven monthly assessments estimated

[1] *Cal. S. P. Dom.*, 1666-67, p. 313; 1670, p. 713; Burnet, i., 410-16. The government, after an exhaustive inquiry, declared the causes to be "the hand of God, a great wind, and the season so very dry," *Cal. S. P. Dom.*, 1666-67, p. 132.

to bring in a million and a quarter. But the appropriation clause was renewed in each bill, the account books were to be open to inspection, and a direct limitation of prerogative was imposed by the provision that no person might be excused from payment by a royal dispensation. CHAP. IV.

The disaffection shown in the house of commons, and the impossibility of borrowing from the London merchants after their losses in the great fire, combined to urge Charles and his advisers to terminate the war. So little hope had they of complete success that in 1667 Coventry induced the cabinet to cut down expenditure by laying up the fleet and relying upon coast defences.[1] This fatuous decision was further commended by the fact that Louis XIV., who had made up his mind to enforce his wife's claims by an invasion of Flanders, desired to free himself from his obligations to the Dutch by arranging a peace with England. At the same time he opened secret negotiations with Charles to secure himself against any coalition of English and Dutch to oppose France, and succeeded in obtaining an assurance that the English king would not for a year conclude any treaty adverse to the interests of France. A conference was opened at Breda, and it was agreed that English and Dutch should retain whatever had been captured during the war. This did not touch the question of Polaroon, which the Dutch had seized before the war. The English envoys demanded that it should be restored to the East India Company, but the Dutch refused to admit a rival to share in their monopoly of trade with the Spice Islands. On this point the negotiations came to a deadlock.

It was suspected that the French king, whose armies were taking town after town in Flanders, was interested in prolonging hostility between the two maritime powers in order to render impossible the alliance of either with Spain. De Witt, profoundly impressed by the danger of French aggrandisement, determined to strike a blow which should accelerate the conclusion of a treaty with England. He had already taken soundings of the mouth of the Thames, and he knew that the English had no ships in readiness for war. In June a Dutch fleet, with de Witt's brother Cornelius on board, entered the

[1] *Cal. S. P. Dom.*, 1667, pp. 77, 118, Pref. p. xxiv; Evelyn, 29th July, 1667; Clarke, *James, II.*, i., 425; Pepys, April 1667.

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river, turned up the Medway, broke the chain which guarded the passage, burned three men-of-war, and bombarded Chatham.[1] It was a sensational revenge for the damage inflicted by the English in the previous autumn. Londoners were panic-stricken at the sound of the enemy's guns, and men debated feverishly whether the Tower was defensible and whether speedy flight was necessary to save life and goods.

After this there could be little obstinacy shown by the English representatives at Breda. The demand for Polaroon was dropped, and peace was signed on July 21, 1667. England was depressed and discredited by a treaty concluded in such humiliating circumstances. Yet the Dutch, who had suffered two signal defeats at sea, and who were frightened by the presence of French forces so near to their territories, made very moderate terms. The annexation of New York and New Jersey, which gave to England continuous possession of the east coast of America from the St. Lawrence to the frontier of Florida, was worth infinitely more than anything which was lost elsewhere. But contemporaries thought more of the insult which England had been unable to avenge than of lands in a distant continent.

The war had not been of Clarendon's making, nor was the laying up of the fleet due to his advice. Still less could he be held responsible for the plague and the fire. Yet he had so long been regarded as the principal and almost the sole minister of the crown, that popular discontent vented itself in attacks upon him.[2] He had few friends. Ormonde was still in Ireland, and Southampton had died on May 16, 1667. The cavaliers had never forgiven the chancellor for the act of indemnity and oblivion. The presbyterians looked upon him as the traitor who had deceived them with smooth words, and as the principal author of the penal laws under which they were persecuted. To the country at large he appeared as responsible for the war and all its exactions, as the intriguer who had sought to gain the succession for his own family by marrying the king to a barren queen,[3]

[1] *Cal. S. P. Dom.*, 1667, Pref. pp. xvii-xxxix.

[2] Burnet, i., 447; *Cal. S. P. Dom.*, 1667-68, pp. 39, 68, 217.

[3] *Ibid.*, 1667, Pref. p. lix., "Tangier's compounder for a barren sheet". Comp. Sir John Reresby, *Memoirs* (ed. 1875), p. 53.

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as the seller of Dunkirk, and as the builder of a costly palace out of ill-gotten gains. Lady Castlemaine and the courtiers detested him, and his colleagues in the royal council were eager to bring about his overthrow. Worst of all, the king was tired of him, and had learned during the last few years to depend more and more upon younger and less scrupulous advisers.

It would have been well for Clarendon if he had resigned at the beginning of the Dutch war. Since then he had met with little but rebuffs from his royal master.[1] In spite of his remonstrances, Charles refused, in 1667, to appoint a successor to Southampton, and insisted upon putting the treasury into commission. The most active of the commissioners, Coventry, Ashley, and Sir Thomas Clifford, were all opponents of Clarendon's policy. Clifford was a man whose abilities and courage had raised him in a very short time to prominence. He had entered parliament for Totnes in 1663, and, according to Burnet,[2] had made overtures to Clarendon which were repulsed on the ground that he was a papist. Whether this were true or not, it is certain that Clifford either was or became a Roman catholic, that he attached himself to the opponents of the chancellor, and that he owed his advancement largely to the favour of Arlington. On the outbreak of war he volunteered to serve in the fleet, and was present at the battle of Lowestoft, at the repulse from Bergen, and at the great Four Days' battle. His admission to the privy council in December, 1666, and his subsequent inclusion in the treasury commission, constituted a notable triumph for Arlington.

After Southampton's death the chancellor's downfall was imminent, and was only delayed until the conclusion of the war. Charles hoped by sacrificing his minister to appease public opinion and parliamentary opposition.[3] The Duke of York was employed to induce him to resign, but Clarendon refused to do anything that might seem to admit the justice of the popular charges against him. At last, on August 30, 1667, Secretary Morice was sent to demand the great seal. Pepys

[1] Pepys, December 15, 1664; *Cal. S. P. Dom.*, 1667-68, p. 58.
[2] Burnet, i., 402.
[3] *Ibid.*, p. 450; Pepys, August 26, 1667.

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tells two stories which illustrate the exultation of the court. Lady Castlemaine, when the chancellor left Whitehall after a final interview with the king, jumped from her "bed (though about twelve o'clock), ran out in her smock into her aviary, and stood blessing herself at the old man's going away".[1] And when the seal was given to Charles by Morice, "Bab May fell upon his knees and catched the king about the legs, and joyed him, and said that this was the first time that ever he could call him King of England, being freed from this great man".[2]

The parliament which met on October 10 was equally delighted at Clarendon's fall, but showed very little of the anticipated gratitude to the king. The bill for appointing a commission to examine the royal accounts, which had been proposed before, was in this session revived, and Charles had to give his assent. The inquiry was not limited to those grants which had been specially appropriated to the war, but was to go back to the two millions and a half which had been voted at the end of 1664. Besides thus expressing dissatisfaction with the conduct of affairs, the commons proceeded to impeach the minister whom they regarded as mainly responsible. The charges upon which the accusation was based were either preposterous or might easily have been rebutted. Although Clarendon had favoured prerogative as against the principles of the Commonwealth, he had never desired to set up absolute monarchy; and indeed one of the arguments employed to prejudice the king against him was that he might, if he had chosen, have obtained for the crown a larger revenue and a more imposing military force. There was no proof that he had gone out of his way to bring about either the king's marriage or the sale of Dunkirk. The house of lords, to the great disgust of the commons, refused to commit him to prison, and would in all probability have acquitted him, if the impeachment had been pressed.

But the Duke of York, whose influence might have been employed on his behalf, was laid up with an attack of small-pox, and the king, dreading with good reason the possible disclosures of a public trial, would not even allow Clarendon to defend himself. At first by hints and then by direct mes-

[1] *Diary*, August 27, 1667. [2] *Ibid.*, November 11, 1667.

sages, Charles expressed his desire that he should quit the kingdom. With intense reluctance the dismissed minister obeyed the royal order, and crossed the Channel into France at the end of November. He was still under sixty years of age, but his health was prematurely broken by the hardships of his earlier exile, by assiduous labours, and by the worries and anxieties of the last few months. He had no companionship except that of servants. His wife had died just before his dismissal from office, and his daughter and two sons remained in England. As he had foreseen, his assailants at once asserted that his flight was equivalent to a confession of guilt. A bill was hurried through parliament by which, if he failed to surrender for trial by February 1, he was banished for life, declared incapable of holding office, and subjected to the penalties of treason if he ventured to return. The news of this harsh measure reached Clarendon at Rouen, and he hastily started homewards to vindicate his innocence. But at Calais he was prostrated by a severe illness and was unable to complete the journey. Thus the act came into force, and the minister who had shown such eminent loyalty to the crown and had rendered no small services to his country, was condemned to life-long exile. He found consolation in his pen, and employed his enforced leisure in completing his *History of the Great Rebellion*, and in writing the autobiography which is no unworthy continuation of that immortal work. His chief place of residence was Montpellier, but in 1674 he came northwards to Rouen, where he died on December 9.

Charles gained little by the sacrifice of his devoted servant. He had alienated the bishops and the leaders of the English Church; he had not as yet taken any practical measures to benefit the nonconformists; and the parliament, which had been so servile in its first session, had been driven in the course of six years to assert against the crown its right to appropriate grants to special purposes, to enforce this appropriation by an audit of accounts, and to call to account by impeachment the ministers of the king. Charles still, in spite of his levity and his vices, retained some of his personal popularity, but the monarchy had lost the halo which had seemed to encircle it in the first fervour of the Restoration.

CHAPTER V.

THE TRIPLE ALLIANCE AND THE TREATY OF DOVER.

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THE fall of Clarendon made Charles master in his council as he had never been before. No subsequent minister acquired the same ascendency as had been held, at any rate for a time, by the late chancellor. In the struggle to free himself from an irksome control the king had acquired an increased sense of independence and a keener interest in politics. But he remained indolent and pleasure-loving, and his intimate advisers continued to believe that they were guiding their master while he was rather gleefully betraying them behind their backs. Among these advisers the opponents of Clarendon were predominant, but their unity terminated with their triumph, and they were henceforth rivals rather than allies. Sir William Coventry failed to gain the authority to which his unquestioned ability and his earlier prominence seemed to entitle him. He was no match for either Arlington or Buckingham as a courtier, and does not appear at any time to have gained the personal favour of the king. The Duke of York, who had been his chief patron, was unquestionably cooled in his attachment by the disastrous results of the decision to lay up the fleet in 1667, and by the acrimony which Coventry had shown in pressing the impeachment of Clarendon. It is significant that Coventry had found it necessary to gain greater freedom of action against the chancellor by resigning his post of secretary to the duke.[1] Moreover, it is pretty certain that he would never have been a party to the intrigues which were carried on at court in favour of Roman catholicism. He retained for a time his seat on the treasury board and the privy council, but seems to have ceased soon after Clarendon's fall to be summoned

[1] Pepys, *Diary*, August 30 and September 2, 1667; Clarke, *Life of James II.*, i., 431.

to the cabinet. Early in 1669 a quarrel with Buckingham, in which Coventry challenged his rival to a duel, gave Charles a pretext to dismiss him from the treasury and the council.[1] After a short imprisonment in the Tower, he spent the rest of his life out of office, although he remained an active member of the house of commons till the dissolution. CHAP. V.

After Coventry the most prominent minister was Arlington, whose knowledge of languages had made him an indispensable agent in foreign affairs even during the administration of Clarendon. Arlington had all the arts of a courtier, and knew how to humour Charles II. better than any other man, except perhaps Lauderdale. He unquestionably aspired with some confidence to become the chief minister of the crown. But he found an unexpected rival in the Duke of Buckingham, the only surviving son of the favourite of James I. and Charles I. Endowed with his father's immense wealth, and inheriting his beauty of face and figure, he aimed at the same ascendency in the state as by general acknowledgment he had acquired in the world of fashionable dissipation. His wit and recklessness made him the prince of boon companions, but even Charles found it difficult to condone his escapades or to regard him as a serious statesman. He held no office until, in 1668, he arranged to purchase the mastership of the horse from the Duke of Albemarle. Yet he succeeded for a time in rising to a prominent place in the council, and contemporaries speak of him and Arlington as sharing the chief influence in the state after Clarendon's dismissal.[2] The two men were united in hostility to Coventry, but were in other respects rivals. Arlington was to all intents and purposes a Roman catholic, and was a party to most of the intrigues to further the Roman catholic cause. Buckingham, on the other hand, though himself entirely irreligious, was associated with the extreme protestant dissenters. His wife was a daughter of Fairfax, the parliamentary general, and though he treated her abominably, his marriage served to link the most cynical debauchee of his time with the rigid puritans.

[1] *Cal. S. P. Dom.*, 1668-69, pp. 222, 240; Pepys, March 4 and 6, 1669; Julia Cartwright (Mrs. Ady), *Madame*, p. 283.

[2] *Cal. S. P. Dom.*, 1667-68, pp. 258-59; Reresby, p. 76; see Arlington's *Letters* (1710), i., 349.

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If it had been necessary for Charles to choose between the two advisers he would unquestionably have preferred Arlington. But a seventeenth century king was under no compulsion to select ministers who agreed with each other. The more they differed, the more independence was enjoyed by their master. To the inner cabinet, or committee of foreign affairs, the king could summon anybody he chose. The Duke of York, who attended at this time with great regularity, was generally more inclined to side with Arlington than with Buckingham. Clifford was regarded as Arlington's follower, but his greater courage and his more resolute advocacy of Roman catholic interests tended in time to exalt him above his former patron in the favour of both the king and his brother. On the other hand, Ashley was reckoned a partisan of Buckingham. In intellect and oratorical power he was the superior alike of the duke and of Arlington, but he was for a time less prominent, partly on account of ill-health, and partly because Charles always seems to have entertained a feeling of mistrust towards him. Lauderdale, primarily occupied with Scotland but gradually pushing his way into English affairs, was careful to commit himself to neither side, but inclined rather to Buckingham than to Arlington. Sir Orlando Bridgeman, the veteran lawyer who had presided over the trial of the regicides, had received the great seal as lord keeper and was a regular attendant at the cabinet. He was, however, too timid, and too interested in providing for a large family, to be a decided politician. His primary aim was to avoid a quarrel with either section in the administration.

Of the older colleagues of Clarendon few retained any influence. Albemarle had been failing since the Dutch war and died at the beginning of 1670. Morice, whom Monk had advanced to the secretaryship of state, had never been more than a useful man of business, and he disappeared from public life some months before the general died.[1] Ormonde, who had from Dublin watched with impotent regret the overthrow of his old associate, continued to hold the lord-lieutenancy of Ireland till in 1669 he was overthrown by the malice of Buckingham.[2] There were a few less prominent

[1] *Cal. S. P. Dom.*, 1668-69, p. 76. [2] Pepys, Feb. 13, 1669.

men who were summoned from time to time to the inner council, such as Lord Robartes, still the man from whom much was expected, though his performance had been of the slightest; Lord Orrery,[1] the champion turncoat in an age when consistency was out of fashion; and Sir Thomas Osborne, who had posed in the house of commons as the opponent of Clarendon, though he had little in common with any of those who had risen on the chancellor's fall. But none of these exercised any marked influence on the course of affairs, and the five men who by 1670 had become in the public estimate the inner council or cabal surrounding the king were Clifford, Arlington, Buckingham, Ashley, and Lauderdale. The accident that their initials formed the word "cabal" has associated the term with them, and the unpopularity of their administration has done more than anything else to give the name an evil significance over and above the original implication of secrecy. CHAP. V.

The members of the so-called "Cabal" had no monopoly of the king's ear: and they had nothing in common with a modern cabinet, except that they were bound together by the tradition of joint opposition to Clarendon, and also by a real antagonism to Clarendon's policy. All of them desired to relax if not to abrogate the penal laws in religion which, whether rightly or wrongly, were so closely associated with the ex-chancellor that they have received from later historians the nickname of "the Clarendon code". But they came to this desire from very different motives, and with wholly different intentions as to what they would substitute for the ecclesiastical settlement which they sought to overthrow. Clifford was an eager Roman catholic; Arlington a cautious and politic Roman catholic; Buckingham the incongruous champion of independency; Ashley was the friend of John Locke, the supporter of toleration for every religion which did not conflict with the interests of the state; while Lauderdale was a presbyterian who had found it necessary to swallow episcopacy, but still made rather a wry face over the nauseous draught. And even if they could have agreed upon practical measures, they had one almost insuperable obstacle in their way. The house of commons which had impeached Clarendon continued to

[1] For a rumour as to his influence at court, see *Buccleugh MSS.*, i., 437.

CHAP. V. fight obstinately for Clarendon's policy. The cavalier majority were as loyal to the Anglican Church as they had been from the first, and as resolutely opposed to either comprehension or toleration. And behind the house of commons there was in the minds of the people an unreasoning, but all the more invincible, hostility against the Church of Rome and its adherents. But before the opponents of Clarendon had any time to give serious consideration to ecclesiastical measures, their attention was distracted to pressing questions of foreign politics.

The French invasion of the Netherlands, in defiance of Maria Theresa's renunciation of her claims to the Spanish succession, threatened a complete overthrow of the balance of power in Europe. And such careful precautions had been taken by French diplomacy, that it was difficult to see from what quarter efficient resistance could be offered. Spain itself, a decadent power for more than half a century, and still hampered by its exhausting efforts for the recovery of Portugal, was obviously unable to compete with the armies that were led by Turenne and Condé, or with the wealth which was being amassed under the protective system of Colbert. The Emperor Leopold, bound by family ties to maintain the integrity of Spain, and impelled by strong personal interests to resist any Bourbon pretensions to the Spanish inheritance, was fatally hampered by disaffection in Hungary and by the chain of alliances which France had concluded with Sweden and the western states of Germany. England and the United Provinces, keenly interested in the fate of the Netherlands by geographical and commercial considerations, were at war with each other when the French armies began the campaign, and the bitter rivalry between the two aspirants to maritime ascendency seemed a sufficient guarantee against their co-operation. Moreover the Dutch, and especially the dominant party in the republic, were bound to France by common interests in the past and by a treaty which was still in force. And Charles had given secret pledges in February, 1667, which seemed to preclude any immediate opposition to France on the part of England.

In spite of all these securities, the conclusion of the treaty of Breda involved a certain amount of risk to France, and this was apparently increased by the dismissal of Clarendon whom

his enemies denounced as a bigoted supporter of the French alliance.[1] Louis XIV., conscious that his position was weakened, hastened to make a parade of moderation by offering to be satisfied with his existing conquests, or to exchange them, if Spain preferred, for Franche Comté with certain specified fortresses on the north-eastern frontier of France. He trusted that Spanish pride and obstinacy would be strong enough to prevent the acceptance of the offer, while it would serve to disarm the fears of his neighbours. At the same time French diplomatists were everywhere active in countermining the endeavours of the emperor to organise a league against France. Everything turned upon the decision of the court at Whitehall, to which Ruvigny was sent on a special mission in September, 1667. There were three courses open to Charles and his ministers. They might become the interested accomplices of France, obtain mercantile and territorial concessions as the price of their connivance, and make use of French assistance to complete the humiliation of the Dutch. Or they might adopt the popular cry of the balance of power, and place England at the head of a European league for the defence of Spain. Or, as a middle course, they might combine with the Dutch to force the two belligerents to make peace on moderate terms, such as those which the French king had actually proposed. CHAP. V.

The decision between these courses rested with Charles. All his personal inclinations tended towards France. He wished to keep foreign politics free from parliamentary control. He believed that without French aid he could never achieve the settlement of Church and State which he desired. And he was strongly prejudiced against the Dutch. He had never forgiven either the insulting attack on the Thames, or the caricatures of himself which were circulated in Holland. He was anxious not to prejudice the interests of his nephew by giving any further strength to the government of de Witt. As against these personal considerations, there were arguments of policy on the other side. It was not

[1] Among the absurd rumours against Clarendon was a story that de Ruyter intercepted a letter from the chancellor inviting the French to come to Chatham, and that they would have done so had not the Dutch come first, *Cal. S. P. Dom.*, 1667-68, p. 89.

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yet safe for the king to defy parliament, nor could he dispense with parliamentary supplies. By humouring, or pretending to humour, the assembly in foreign relations, he might obtain a larger revenue and more approval for religious toleration than were likely to be given if he joined openly with France. And if he showed himself too unforgiving to the Dutch, he might drive them into still closer dependence upon France, and Louis XIV. might in the future, as in the recent war, prefer the republic to England as an ally. Whereas, if he could tempt de Witt into anti-French measures, he might deprive the republican leader of any chance of recovering the favour of his infuriated patron.

In what was undoubtedly a puzzling situation, Charles acted with a duplicity which was gradually becoming a settled nature to him. He flattered and cajoled the able ambassador of the emperor, whose supreme aim was to thwart the attempt of Louis XIV. to evade his wife's act of renunciation. He offered assistance to Spain on conditions which it was quite impossible for the Spanish king to accept. To Ruvigny he expressed his willingness to approve Louis XIV.'s acquisitions of Spanish territory, provided England received money, trading privileges, and a share in the Netherlands. Louis was willing to pay a good deal for English assistance, but he refused to satisfy such rapacious demands in return for nothing more than benevolent neutrality. Charles decided to bring home to the French king the danger of undervaluing English interposition. On November 25, 1667, he authorised Arlington to send Sir William Temple, at this time the English agent in Brussels, to open negotiations for a treaty with the United Provinces. Temple went to the Hague in January, 1668, and arranged terms with almost magical rapidity. The convention of the Hague, which was signed on the 23rd, consisted of three separate agreements. By the first the two powers concluded a defensive alliance and specified the assistance which each was to furnish to the other in case of attack. By the second they agreed to call upon the belligerents to make peace on the basis of one of the two alternatives which France had already suggested. By the third, which was to be a complete secret, they agreed that if France refused, they would co-operate to bring her back to the limits of the treaty of the Pyrenees.

On the following day the convention was signed by the Swedish envoy at the Hague, with whom Temple had been carrying on a parallel negotiation, and though the French party in Sweden postponed its ratification till April, it received from the first the popular name of the Triple Alliance. CHAP. V.

The news of the convention was unwelcome to both the belligerents. Spain had at last realised the necessity of conceding independence to Portugal, and was thus enabled to make more strenuous exertions in the Netherlands. It was even hoped, with the assistance of the maritime powers to recover what had been lost. The anger of Louis XIV. was still greater. He had never intended to abide by his alternatives, and so little did he anticipate opposition that before the news of the treaty reached him he had sent Condé into Franche Comté. The province was overrun with the greatest ease in a few weeks, and this success in itself might be held to justify the French king in raising his terms. He was tempted for a moment to defy the allies. Neither England nor Holland was ready for war, and Condé and Turenne might make further conquests before they could intervene. But prudence prevailed over both revenge and ambition. On May 2 Louis patched up the treaty of Aix-la-Chapelle with Spain. By it France restored Franche Comté, and kept her acquisitions in Flanders. This alternative was deliberately preferred by Spain, partly because the loss of Franche Comté would weaken the line of communication between the Netherlands and Italy, and still more because Dutch jealousy of France would be increased by the advance of French power in the direction of the Dutch border.

The treaty of Aix-la-Chapelle seemed to contemporaries to be dictated by the Triple Alliance. It has since been proved that this was only partially the case. At the very time when Temple and de Witt were hurriedly settling the terms of their bargain, the French envoy in Vienna was taking advantage of the peaceful disposition of the Emperor Leopold, to negotiate on January 19, 1668, a secret treaty for the eventual partition of the Spanish inheritance. As the death of Charles II. of Spain was at the time supposed to be imminent, it was not worth while to risk a rupture with the maritime powers about fragments of territory when a much

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greater prize seemed to be within reach. Moreover, when taken in conjunction with this agreement, the peace of Aix-la-Chapelle was a triumph rather than a humiliation for Louis XIV. He had successfully disregarded his wife's renunciation,[1] and he had induced his most formidable rival to make an agreement by which he virtually acknowledged that the renunciation was null and void. Nevertheless he did not forgive the threat of opposition, and he was just as much annoyed by the general belief that he had been coerced into peace as if he had not known it to be unfounded.

The Triple Alliance was immensely popular in England, and for two years Charles in all his dealings with parliament made a great parade of his supposed diplomatic success. If that assembly could have been induced to show its gratitude by generous grants of money and by consenting to a relaxation of the penal laws, the history of the reign might have been completely altered. But the invincible distrust which was entertained of the king's religious aims prevented any harmony between the executive and the legislature. The commission appointed in 1667 to inquire into the expenditure of public money prosecuted its researches with unabated vigour; and in 1669, in consequence of its disclosures, Sir George Carteret, the treasurer of the navy, was suspended from the house of commons. The inquiry might also have served to disclose the fact that parliamentary grants had never produced the sums at which they were estimated, that the king was hopelessly encumbered with debt, and that he could only borrow at an ever-increasing rate of interest; but the commons showed no disposition to err on the side of generosity. The sum of £310,000 which was voted in 1668 was barely half what had been asked for, and both this and subsequent grants were accompanied by imperative demands for the continuance of persecution.

This was, in fact, the essential ground of quarrel. The opponents of Clarendon, as soon as their victory was won, had made no secret of their desire to modify the ecclesiastical settlement.[2] The prison doors had been opened: the corpora-

[1] Arlington admitted (*Letters*, i., 364) that the treaty of Aix-la-Chapelle assumed the nullity of the renunciation.

[2] *Cal. S. P. Dom.*, 1667-68, pp. 165, 176, 209, 242. See also the king's speech on opening parliament in 1668.

tion act was very slackly enforced, the conventicle act was about to expire in 1668, and the ministers were opposed to its renewal. Dr. Wilkins, a broad churchman, and the brother-in-law of Oliver Cromwell, drew up with Bridgeman a bill for the comprehension of presbyterians which was to be brought before parliament. Baxter and other nonconformist leaders were consulted as to the necessary modification of the conditions of ordination. But there was not the slightest chance of the measure being accepted. The Duke of York and the secret catholics in the royal council were hostile to comprehension which, by increasing protestant unity, would be fatal to their own designs. And when parliament met in February, 1668, it was evident that the ecclesiastical policy of Sheldon and Clarendon continued to command a solid majority in the house of commons. The comprehension bill was still-born. A more moderate proposal to invite the king to hold a conference of divines for the settlement of religious differences was rejected by a large majority. A new conventicle act, with more stringent provisions than that of 1664, was carried through the commons, and would have been adopted in the upper house but for the outbreak of a serious dispute between the two houses on the pretension of the lords to exercise original jurisdiction in civil cases.

The quarrel between the two houses gave the king a pretext for putting an end on May 8 to a session in which his prerogative had been assailed in terms suggestive of the spirit of the Long Parliament. If the king persisted in maintaining ministers in whom parliament had no confidence, and if he continued to pursue a policy in religious matters to which the national representatives were resolutely opposed, it seemed as if another rebellion were inevitable. Charles had no intention of running such a risk, but he came nearer to it than he himself may have thought. Even in the general reaction from the rigidity of puritan morals there were many who were outraged by the licence of the court. The king's neglect of his wife for Lady Castlemaine was bad enough: it was worse when he turned to women of the town, such as Moll Davis and Nell Gwyn. Indignation could hardly be silent when the story was told how the Duke of Buckingham, the king's most prominent adviser, fought with the Earl of Shrewsbury, and how Lady

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Shrewsbury, dressed as a page, stood by holding her lover's horse while her injured husband was mortally wounded. The drunken indecencies of men like Sedley and Dorset might have been tolerated if they had not been regarded as typical of the abandoned life of the court. Even parliament was constrained to interfere when hired bravos, in the employ of courtiers and perhaps with the approval of the king, assaulted and mutilated Sir John Coventry, a nephew of William Coventry, for having alluded disrespectfully to Charles' immoralities.

The prorogation of May 8, 1668, was renewed from time to time, and it was a serious question whether the present parliament should be allowed to meet again. The house of commons, though great pains had been taken to secure the return of court officials at by-elections, had shown such resolute hostility to all schemes of toleration that there seemed no prospect of a change in this respect. Buckingham would have liked to risk an election, but Arlington hesitated, and one of the last notable acts of the old Duke of Albemarle was to object to a dissolution as likely to lead to renewed civil strife. His advice carried the day, and the parliament met for a new session on October 19, 1669, and after a short adjournment caused by a revival of the quarrel between the lords and commons, it came together again on February 14, 1670. To all appearance it was the most harmonious session since the outbreak of the first Dutch war. At the king's suggestion the quarrel about the lords' jurisdiction was set aside, and the records concerning it were expunged from the journals. The parliament voted an additional revenue of £300,000 a year for eight years, and Charles in return dropped all demands for toleration and on April 11 gave his consent to a new conventicle act. The former act had expired two years before, and during the interval the increased boldness and activity of the dissenters had excited the jealous hostility of the high Church party. This found expression in the increased severity of the provisions for carrying the act into effect. A magistrate who refused to convict upon sufficient evidence was to be fined £100, constables who failed to give information were to be fined five pounds, and in very significant words the act was to be "construed most largely

and beneficially for the suppressing of conventicles and for the justification and encouragement of all persons to be employed in the execution thereof". CHAP. V.

A private act, which received the royal assent on the same day as the conventicle act, excited even more interest in court circles. The personal rivalry between Buckingham and Arlington had gradually grown into a fairly well-defined division of ministers into two sections: those who were protestant advocates of toleration, and those secretly in favour of the Roman Church. The Duke of York, whose abstention from the Anglican sacrament was becoming a matter of public comment, was more and more closely associated with the latter section. Buckingham, who had no claim on James's favour, and who was always in dread that the return of Clarendon might be urged by his son-in-law, desired to devise some means of depriving the duke of the influence which attached to him as heir-presumptive to the crown. The first plan was to induce the king to declare that the Duke of Monmouth, the eldest of his acknowledged bastards, was really born in lawful wedlock.[1] Monmouth was the son of one Lucy Walters, who had been Charles' mistress at the Hague. He had been made a peer by his indulgent father and had been married to a great Scottish heiress, the Countess of Buccleugh. A handsome face and attractive manners had won for him a popularity which neither his conduct nor his character deserved. Charles, however, cynical *roué* as he was in some respects, deemed it shameful to put the son of a notorious prostitute upon the throne of England.

Buckingham had to fall back upon a project of divorcing the king and providing him with a second wife. Catharine of Braganza had miscarried twice at an early stage of pregnancy, but all hope of issue by her seems to have been abandoned by the end of 1669. Unless Charles could leave a legitimate child, the crown would probably pass in time to the grandchildren of Edward Hyde. Theologians were consulted on the questions whether barrenness was a lawful ground of divorce, whether polygamy could be justified in case of political necessity, and whether a divorced person might contract

[1] *Cal. S. P. Dom.*, 1667-68, pp. 165, 259; Burnet, i., 469.

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another marriage. This last question was brought before parliament in 1670 in the case of Lord de Roos. His wife had been divorced by a spiritual court on the ground of adultery, and the husband now applied for a bill to enable him to marry another wife. The Duke of York and his partisans opposed the bill, but Charles was so deeply interested in getting it passed that he began a practice, which he afterwards continued, of attending debates in the house of lords and actually canvassing for votes.[1] The bill, which seemed to assume such great political importance, was carried, but it had no political result. Charles had scruples about the further ill-treatment of a woman who had already suffered from his misconduct, and he was engaged in foreign schemes which rendered it extremely impolitic either to alienate the Duke of York or to raise any doubt as to the succession.

In renewing the conventicle act parliament had gained another victory over the executive, only second to the auditing of the public accounts and the impeachment of Clarendon. But Charles' concession to the Anglican majority implied no permanent abandonment of his ecclesiastical aims. It was rather due to his need of money and to momentary conditions of foreign politics. The king had never shared his subjects' enthusiasm for the Triple Alliance, and had only concluded it in order to raise his value in the French market. The one thing that might have kept him loyal to the compact was compliance with his wishes on the part of parliament. The session of 1668 was enough to convince him that this was hopeless, and thenceforward he was perfectly ready to turn against the Dutch and to conclude a treaty with France, if he could obtain sufficiently attractive terms. Louis XIV., on his side, had still stronger reasons for desiring a good understanding with England. If, as Temple and de Witt desired, the Triple Alliance were expanded into a general European league against France, he might be deprived of the great prize of the Spanish succession on which his hopes were set. It was therefore a matter of supreme importance to him to break up the alliance and to obtain the support, or at any rate the neutrality of England. As Ruvigny had not been successful

[1] Evelyn, March 22, 1670; compare Burnet, i., 492-93.

in diplomacy, he was recalled in the summer of 1668 to make room for Colbert de Croissy, a brother of the great finance minister of France. CHAP. V.

Charles' eagerness in the negotiation found expression in his letters to his sister, the Duchess of Orleans, who set herself with ardent zeal to promote harmony between the country of her birth and that of her adoption. On July 8, 1668, he wrote: "I am very glad to find the inclination there is to meet with the constant desire I have always had to make a stricter alliance with France than there has hitherto been; . . . and when M. de Colbert comes, I hope he will have those powers as will finish what we all desire". On August 3 he expressed the same sentiments, and also his regret that his offers to Ruvigny in the previous year had not "received that answer which I might reasonably have expected. They would then have seen that whatever opinion my ministers had been of, I would and do always follow my own judgment, and if they take other measures than that, they will see themselves mistaken in the end."[1] But in spite of these assurances, Colbert made little progress in his negotiations in 1668. Both Charles and Arlington laid great stress upon the necessity of satisfying the English trading interest, and upon the jealousy with which the commercial and maritime advance of France was regarded. Charles declared to his sister: "You cannot choose but believe that it must be dangerous to me at home to make an entire league, till first the great and principal interest of this nation be secured, which is trade".[2] Louis was so disgusted at what he considered the unreasonable demands of England that he reopened negotiations with de Witt, and at the same time debated the possibility of embarrassing the United Provinces by giving encouragement to the Orange party.

But the Dutch, whether under a republican oligarchy or headed by a stadholder, must inevitably be hostile to a French occupation of the Netherlands, and Louis was much relieved when in January, 1669, religious interests gave a fresh impulse to an Anglo-French alliance. The Duke of York, convinced by the Jesuits that he was endangering his salvation by remaining in communion with the Church of England, was

[1] Mrs. Ady, *Madame*, pp. 268-69. [2] *Ibid.*, p. 271.

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eager to avow his conversion to Roman catholicism. He communicated his difficulties to the king, whom he knew to share his predilection for the older Church. The result of their conversation was a private meeting on January 25, 1669, to which Charles and his brother summoned two ministers, Arlington and Clifford, and one of the leading Roman catholic nobles, Lord Arundell of Wardour. To them the king, with tears in his eyes, declared his adhesion to the Romish creed, and "how uneasy it was to him not to profess the faith he believed". A prolonged discussion ended in the momentous decision that the reconciliation of England to Rome could only be effected with the assistance of France.[1] From this time secret negotiations were carried on with the French king, from all knowledge of which Buckingham and the other protestant advisers of the crown were carefully excluded. The chief agents on the English side were Lord Arundell and Sir Richard Bellings, the latter of whom had already been employed in negotiations with the papacy in 1662; and on the French side the Duchess of Orleans and an Italian astrologer, the Abbé Pregnani, who carried ciphered letters between Charles and his sister. To hoodwink his subjects and the other European courts, Charles continued to act as a loyal member of the Triple Alliance. Temple, who enjoyed the complete confidence of de Witt, was appointed resident ambassador at the Hague, and was allowed to pledge England as a guarantor of the treaty of Aix-la-Chapelle. At the same time the Duchess of Orleans kept up a lively correspondence with Buckingham, who was thus led to believe that the conduct of relations with France was in his hands.

Nothing could be better suited to the purposes of Louis XIV. than the overtures which reached him from England after the conference of January 25. If Charles should succeed in restoring the Roman catholic Church, the English government would become wholly dependent upon French support and would be compelled to regulate its foreign policy in the interests of France. If, on the other hand, he should fail, the result of the unsuccessful attempt would be to create such permanent distrust between the king and his subjects that Eng-

[1] See Clarke, *Life of James II.*, i., 442.

land would be unable to interfere effectively in continental affairs. And it was no small immediate advantage to gain over Arlington, the one minister whose hostility Louis had dreaded, and who had hitherto been regarded as bound by his marriage with a daughter of Lewis of Nassau to uphold the Dutch alliance.[1] By the autumn great progress had been made in the negotiations. Louis had insisted, rather against Charles' will, upon having his envoy, Colbert, admitted to "the great secret". Colbert and Arlington agreed upon certain main conditions. The English king was to be freed from his dependence upon parliament by the payment of an annual subsidy from France. If the restoration of Roman catholicism should provoke a rebellion in England, France was to furnish additional aid both in money and men for its suppression. The two states were to co-operate at some future date in a war against the Dutch republic, England was to have a share in the spoils, and careful regard was to be paid to the interests of the house of Orange.

It was obvious that the agreement on these general principles left room for endless discussions as to details, and Louis had no desire to pay more than was necessary for the English alliance. But the main subject of dispute was as to which was to come first, the restoration of Roman catholicism or the Dutch war. To Louis XIV. the latter was of primary importance, and he did not desire English action in the war to be impeded in any way by religious discontent or disunion. Charles, on the other hand, was more keenly interested in the establishment of the royal supremacy in England, and he still believed that this could best be effected by the acceptance of the Roman faith. He was eagerly supported by the Duke of York, in whose narrow and obstinate mind religious motives had come to occupy the chief place. It was insisted on the English side that the religious change should precede the war, that in addition to money England should receive, as a share in Dutch spoils and in the ultimate Spanish succession, Ostend, Walcheren, Sluys, and Cadsand on the North Sea, Minorca in the Mediterranean, and eventually the Spanish

[1] Montagu to Arlington, Sept. 6, 1669, in *Buccleugh MSS.*, i., 438: "You are the man they think hinders everybody from coming into their interests".

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possessions in America. Maritime ascendency was to be built on no insecure foundations.

The negotiations came to a deadlock at the end of 1669. Louis would not make any such promises, nor would he consent to postpone the Dutch war to some indefinite date, which would be at the choice of his ally and might never come at all. He began to be suspicious of the genuineness of Charles' zeal for Roman catholicism. His suspicions were increased when Charles, irritated on his side by hesitation on the part of France, showed an inclination to come to terms with parliament in February, 1670, received a considerable increase of revenue,[1] and sanctioned the act against conventicles. But the two princes had too many interests involved in the negotiation to draw back from it altogether. On both sides it was felt that something more intimate than ordinary diplomatic correspondence was needed to overcome the obstacles in the way of a complete understanding. There was one intermediary who enjoyed the complete confidence of both, and who could be employed without betraying the secret purpose of the mission. This was Henrietta of Orleans, the "Madame" of the French court, the dearly beloved sister of Charles. She had been admitted from the first to all the innermost secrets of the negotiation, and no diplomatist could regard with more than vague suspicion the natural desire of brother and sister to see each other after a separation of over nine years. In January, 1669, Charles had written to say: "I must confess I was not very glad to hear you were with child, because I had a thought by your making a journey hither, all things might have been adjusted without any suspicion".[2] This particular difficulty had been removed as Henrietta gave birth to a daughter in August. Soon afterwards she was in mourning for her mother, Henrietta Maria, who died suddenly on September 10. Since that event new difficulties had arisen. Philip of Orleans, equally peevish and dissipated, was absurdly jealous of his wife, not only of her attractions for other men, but even more of her admission to political secrets which he was not allowed

[1] Montagu to Arlington in *Buccleugh MSS.*, i., 488: "you cannot imagine how blanc this court were at the news of the parliament's readiness to supply our master with what money he desired".

[2] Mrs. Ady, *Madame*, p. 279.

to share. It needed all Louis XIV.'s authority to extort a sulky permission that she might go to Dover, where she arrived on May 15, 1670. In order to allay suspicion, the visit was made the occasion for great pomp and festivities; but time was found for the discussion of the important business for which she had really come. The secret treaty of Dover was signed on May 22 by Colbert for France, and on the part of England by Arlington, Arundell, and Clifford.

The terms of this celebrated treaty[1] were so carefully concealed that its existence, though suspected at the time, was not proved till a century had elapsed. After a general clause affirming the close alliance between the two sovereigns, it was agreed that the English king should declare his adhesion to the Roman catholic Church as soon as the welfare of his kingdom should permit. The precise date was left to his decision. To repress possible disorder among turbulent and unquiet subjects, Louis was to aid his ally with 2,000,000 *livres* and 6,000 soldiers. If the French king should acquire new rights to the Spanish monarchy, England was to assist him with all forces by land and sea. The two kings were to make war conjointly against the United Provinces. England was to contribute 6,000 auxiliaries to the French army which was to carry on the war by land. For the naval war, which England was to undertake with at least fifty men-of-war and ten frigates, France was to supply thirty vessels to serve under the English admiral. As her share in eventual conquests, England was to have Walcheren, Sluys, and Cadsand. After the English king had declared his adhesion to Rome, France was to have the decision as to the commencement of the Dutch war. The Duchess of Orleans had obviously failed to obtain priority for the war, and Charles on the other hand had not succeeded in securing for England the desired share in the Spanish inheritance.

The treaty had hardly been made when it came within measurable distance of being broken off by a tragic event. Within three weeks of her departure from Dover the Duchess of Orleans, still only twenty-six years old, died under circum-

[1] Lingard (ed. 1839), vol. xi., 364-74, gives the text of the treaty. See also Clarke, *Life of James II.*, i., 443; Dalrymple ii., App., pp. 44-58 Mignet, *Négociations*, iii., 187.

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stances which gave rise to grave suspicions.[1] She herself declared that she had been poisoned; the English ambassador, who saw her as she lay in agony, believed till his dying day that there had been foul play. Some accused her husband, more attributed the guilt to the favourite who had made mischief between the duke and the duchess. The rumours were unfounded, and death was probably due to an attack of peritonitis following a chill. But for the moment the excitement was very great, and fears were certainly entertained in France that Charles might turn away from the court in which his loved sister had come to such an untimely end. More politic counsels, however, prevailed, and Charles either dissembled his wrath or was convinced in his own mind that there was no ground for suspecting actual guilt. It may have been some consolation to him at a later date that the widowed Duke of Orleans married a second wife, who cared little for his jealousy or his infidelity, and whose tongue was more voluble and bitter than his own. She did not hesitate to describe in detail how poison had been administered to her predecessor.

The treaty of Dover had escaped one danger, but there were still difficulties to be surmounted before any of its provisions could become operative. One clause, that about the change of faith, could not safely be communicated to the protestant ministers of the crown. But it was impossible to keep from them all information as to a French alliance and a prospective Dutch war. Into the congenial task of duping Buckingham and his colleagues, Charles and the French diplomatists threw themselves with boyish zest and no small ingenuity. None of the ministers had any great affection for the Dutch, and it was not difficult to purchase their approval of a second war with the republic by a promise that the royal authority should be strenuously exerted in favour of the nonconformists. Buckingham was allowed to gratify his vanity by taking the negotiations in hand. With great adroitness he was led on to suggest as his own device the very clauses of the secret treaty. Even the total sum of money to be paid by France was the same, with the difference that Louis was to contribute for the war what he had previously promised to pay

[1] "Al ye people believe shee was poisoned," *Despatches of William Perwich* (Camden Society, 1903), p. 97.

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for the suppression of English discontent.[1] The only substantial changes, besides the omission of all reference to Charles' conversion, were that England was to receive further Dutch possessions in West Africa, and that the war, instead of being left to some indefinite date after Charles had proclaimed his change of creed, was fixed to begin in the spring of 1672. With these alterations the sham treaty, which was also to be kept secret till it was carried into effect, was signed in January, 1671, by Buckingham, Ashley, and Lauderdale, as well as by Arlington and Clifford.

[1] Charles had to sign a secret article to prevent his claiming the two million *livres* of the first treaty in addition to the five millions promised in the second. Dalrymple, ii., App., p. 77.

CHAPTER VI.

THE FALL OF THE CABAL AND THE SECOND DUTCH WAR.

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PARLIAMENT had met twice in 1670, on February 4 and October 24, and in neither session had there been any overt quarrel with the king. On the contrary, the inquiry into public expenditure, which had led to nothing more serious than the suspension of Sir George Carteret from the lower house, had been dropped, and substantial additions had been made to the royal revenue. But Charles was conscious that he had obtained these supplies, which after all were inadequate to his needs, upon false pretences. The two strongest passions of the parliament were hatred of dissent and enmity to France, and the king had gratified one by joining the Triple Alliance and the other by approving the second conventicle act. If he had been willing to pursue the same foreign and domestic policy, he might have continued to receive what parliament at any rate considered generous treatment. But he was burdened with debt, his expenditure was steadily increasing, and he had no desire to purchase harmony with his subjects either by retrenchment or by submission to parliamentary dictation. At the very time when his insincere professions were disarming the opposition, he was pledging himself to declare his adhesion to an unpopular creed and was negotiating an almost equally unpopular alliance. Even he could not hope to carry dissimulation much further, and for two years a meeting of parliament was avoided by successive prorogations.

The treaty of Dover was the most discreditable of Charles II.'s public acts. Even if it be admitted that a ruler is entitled to do all in his power to influence or determine the religion of his subjects, it is impossible to justify the proposed employment of foreign money and foreign troops for such a purpose. And Charles was hardly so enthusiastic a Roman catholic that he

could plead conscientious bigotry as an excuse. But, apart from the religious aims of the treaty, which proved so impossible of execution that some competent inquirers have doubted whether they were ever seriously entertained, it involved a disgraceful surrender of English interests and independence of action. It is true that England had secured the prospect of certain conditional gains, but they were as nothing compared with the immense advantages which France might confidently expect to achieve with the support of a great maritime power. Even Charles, with all his lack of vigorous patriotism, could hardly look forward with complacency to a time when England should be little more than a satellite of France, when the Mediterranean would be a French lake, and Tangier, his own acquisition, would become either worthless or untenable. Louis XIV. was quite aware that it would be no easy matter to hold England to so one-sided a bargain, and desired to bind his cousin by stronger bonds than those of treaty obligations. He was keenly interested in the scandalous chronicle of the English court, and his envoys were instructed to keep him well posted in all such matters.[1] Charles was already wearied of the shrewish scoldings and the shameless misconduct of Lady Castlemaine. The very contrast may have helped to attract him to the "childish, simple, and baby face"[2] of Louise de Kéroualle, a young Breton lady who had accompanied Henrietta of Orleans to Dover. The tragic death of her mistress had left Louise without employment, and in October, 1670, a royal yacht was sent to Calais to bring her to England as a maid of honour to the queen. Catharine of Braganza had been well schooled by this time, and had long ceased to be sensitive with regard to her husband's infidelity.

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The unconcealed devotion of the king to the new beauty made her arrival in England an event of serious diplomatic importance. Lady Castlemaine had been a Roman catholic since 1663, but she was inclined to favour Spain rather than France. In August, 1670, she had been made Duchess of Cleveland, with remainder to the two sons whose paternity Charles had acknowledged. Her elevation, however, was a reward for the past rather than a security for the future, and Louis XIV. and

[1] Jusserand, pp. 43, 86, 216.

[2] Evelyn, Nov. 3, 1670.

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his envoy relied with confidence upon the superior attractions of the new favourite. To their chagrin the king's advances were apparently unsuccessful. They were afraid that so much obstinacy would alienate the inconstant Charles. But the lady knew her admirer's nature better than her would-be advisers, and the unwonted display of prudery only served to increase his ardour. At last Arlington and his wife undertook the management of an affair on which the future foreign policy of England seemed to depend. In October, 1671, they invited Louise and the French envoy, Colbert de Croissy, with a large house-party, to their country house at Euston. From Newmarket the king came over frequently to dine and sleep, and the virtuous Evelyn, who was himself a guest, does not deny the generally accredited rumour that, with some parody of wedding festivities, Louise de Kéroualle became at this time the king's acknowledged mistress.[1] On July 29, 1672, she gave birth to her only son, Charles, afterwards Duke of Richmond and Lennox. "Madame Carwell," as the English called her, was on account of her foreign origin by far the most unpopular of the king's mistresses. Charles was no more constant to her than he had been to Lady Castlemaine, and from time to time her ascendency was seriously threatened. But her influence was never completely overthrown, and she continued to be the most influential woman at the English court until Charles' death. In 1673 she was made Duchess of Portsmouth and a lady of the bedchamber to the queen. A year later Louis XIV. recognised his obligations by conferring upon her the valuable fief of Aubigny. She represents the continuance of the policy of the treaty of Dover and the enslavement of England to France.

The French alliance was now securely buttressed for a time; and the joint war against the Dutch, theone definite obligation of both the secret treaties, was thus assured. But there was still an open question. The Duke of York pressed that the avowal of Roman catholicism and the firm establishment of royal authority should precede the war.[2] This matter was discussed by those who were parties to the secret in the early months of 1671. But it was obvious that the king's

[1] Evelyn, Oct. 9 and 10, 1671. [2] Clarke, *Life of James II.*, i., 450.

zeal was cooled by discretion. His protestant ministers were as little to be trusted as ever. The forces in Scotland, whose loyalty was so vaunted by Lauderdale, could hardly be expected to fight in this cause. On the other hand, a successful war might exalt the reputation and popularity of the crown, and it might enable the king to enlist a really trustworthy body of troops. France had no inclination to urge Charles against his own wish. Louis XIV. and his ministers were politicians rather than religious propagandists. For the purpose of crushing the Dutch a united England was infinitely preferable to a recalcitrant England under a popish despotism. Any hesitation which might have been felt must have been removed by the death of the Duchess of York on March 31, 1671. On her death-bed Anne Hyde, to the disgust of her brothers and the sorrow of her exiled father, declared herself a convert to her husband's faith. But the two daughters who alone survived her had been brought up as protestants, and a catholic succession could only be secured if the duke made a second marriage and had a male heir. Until this question should be settled, it was undesirable needlessly to excite anti-papal prejudices. By the summer of 1671 Charles had practically made up his mind to proceed with the war and to conciliate the dissenters by a measure of toleration. This was the policy of Buckingham, Ashley, and Lauderdale, and it was acquiesced in by Arlington and Clifford.

Before the war began great pains were taken to isolate the Dutch from possible allies. French diplomacy was employed in gaining over the German princes whose territories bordered upon the republic. Two of them, the Elector of Cologne and the warlike Bishop of Münster, promised active co-operation. The Emperor Leopold, although annoyed and alarmed by the French occupation of Lorraine, was forced by the threat of assistance to the hostile Turks and the Hungarian rebels to promise neutrality so long as the territories of Spain and the Empire were respected. To Sweden, one of the parties to the Triple Alliance, England sent Henry Coventry to support the arguments of the French envoy. The corrupt nobles who governed during the minority of Charles XI., were bribed to make an agreement by which 16,000 troops were to be employed in coercing any German prince who should aid

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the Dutch. This provision was specially directed against the Elector of Brandenburg, who refused to connive at the overthrow of a powerful protestant state. Spain, alarmed for the security of the Netherlandish provinces, was also willing to support the Dutch.

Meanwhile the two aggressive governments were engaged in discovering or inventing pretexts for a quarrel. France imposed heavy duties upon imports from Holland, and provoked the Dutch to retaliate upon French goods. England revived in the most irritating form the demand that its flag should be saluted in the narrow seas, and reiterated old complaints as to the publication of defamatory libels and the insolent celebration of the Dutch triumph in the Medway. Temple, whose continued presence at the Hague had lulled the Dutch into security, was recalled in the summer of 1671; and Downing, the most overbearing of diplomatists, was sent to press the demands for reparation in a manner that was itself an irresistible provocation to a proud people. Even John de Witt, who had too long believed that England and France could not possibly co-operate against his country, had his eyes opened by this deliberate parade of hostility. But he foresaw that a foreign war would strengthen the Orange party, and did all in his power to avoid a rupture. To the surprise of Charles and of Downing, the most extravagant English demands met with almost servile acquiescence. Even when the yacht which carried Temple's wife and children back to England deliberately sailed through the Dutch fleet, and actually fired when the flag was not dipped by the men-of-war, the Dutch offered apologies instead of complaints, and ultimately expressed their willingness to concede the required salute.

Regardless of all concessions, the English government busied itself with preparations for war. In order to remove any objections to the expenditure of French supplies and to conceal the fact that the bargain had been made so long beforehand, a new copy of the second treaty was drawn up and signed on February 5, 1672, by the same ministers on behalf of England. As more money was needed than had been obtained either from Louis or from parliament, a fraudulent measure of confiscation was adopted on the advice of Clifford.[1]

[1] Evelyn, March 12, 1672; Temple, *Works* (ed. 1720), ii., 184.

By a proclamation of January 2, the payment of interest on loans advanced by the London bankers was suspended for a year. The sum thus appropriated, amounting to nearly a million and a half, was to be treated as a new debt on which six per cent. was guaranteed. This "stop of the exchequer" was a short-sighted as well as an arbitrary act. It shook the credit of the government, deranged the business of the capital, and caused infinite distress to the numerous depositors who had entrusted their money to the bankers. Ashley, who as chancellor of the exchequer was naturally regarded as the author of the measure, had really opposed it in the council, though he was compelled to defend it after its adoption.[1] CHAP. VI.

In the hope of making the Dutch contribute to their own undoing, Sir Robert Holmes was ordered to take command of the fleet at Portsmouth, and to seize the rich flotilla from the Levant as it passed through the Channel. But the Dutch, foreseeing the danger, had provided a strong escort, which offered such a strenuous resistance that Holmes only succeeded in capturing four of the merchantmen. This piratical attack upon peaceful traders was followed on March 17 by a formal declaration of war. In it Charles paraded all the stock grievances against the Dutch; the disputes about the flag, the injuries done to English traders in the East Indies, and the "abusive pictures and false historical medals and pillars" with which the Dutch had celebrated their successes in the recent war. As an appeal to public opinion the manifesto was not ill devised. Jealousy of the Dutch was strong in England, and in sensitive minds the disgrace of Chatham still rankled.

But two days before, on March 15, another document, the famous declaration of indulgence, had been issued, which caused both the war and the French alliance to be regarded with well-justified mistrust. By virtue of his "supreme power in ecclesiastical matters," Charles declared the suspension of "all and all manner of penal laws in ecclesiastic matters against whatsoever sort of nonconformists or recusants". In spite of the law prohibiting conventicles, places were to be licensed for the public worship of protestant dissenters, while Roman

[1] Burnet, i., 550, says that "Shaftesbury was the chief man in this advice," but this has been conclusively disproved by Christie, *Life of Shaftesbury*, ii., 56-71. See also Evelyn, March 12, 1672.

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catholics were to be allowed the practice of their religious rites in private houses. So extreme an assertion of the dispensing power of the crown could not fail to excite opposition both on religious and constitutional grounds. But until parliament met there was no possibility of organised resistance, and Charles might hope meantime to divert men's minds by the prosecution of a successful war.

As if to celebrate the triumphant reassertion of monarchical power in the stop of the exchequer and the declaration of indulgence, the king proceeded to shower rewards upon his principal advisers. Clifford, the chief author of the stop, was raised to the peerage as Lord Clifford of Chudleigh, and Ashley, whose dearest aims were realised in the indulgence, was promoted to be Earl of Shaftesbury. Arlington, whose only daughter was married at five years old to the young Duke of Grafton, one of the royal bastards, received an earldom, and Lauderdale was made a duke in the Scottish peerage. Later in the year important ministerial changes were made. Henry Coventry, who had proved himself a successful diplomatist, was appointed secretary of state. Lord keeper Bridgeman was removed from office, and Shaftesbury, though he had no legal training, was made lord chancellor. This was followed by a still greater change. The office of lord treasurer, which had been in commission since the death of Southampton, was revived and conferred upon Clifford. Arlington was intensely annoyed to be passed over in favour of a man who had hitherto owed every step in his political promotion to his own patronage. From this time, though he was careful not to forfeit the royal favour, his zeal for Roman catholicism was undoubtedly cooled, and he displayed a timidity and a willingness to betray secrets which had some influence upon events in the future.

Charles had staked too much on the chance that the war would be successful or at any rate remunerative. At first the contest seemed so one-sided that the allies were entitled to expect a speedy triumph. But at sea, where England took the lead, the unexpected happened. The Duke of York, who commanded the combined English and French fleets, allowed himself, on May 28, to be surprised by de Ruyter in Southwold Bay, and although the combat was obstinate and both sides

claimed a victory, yet continental opinion was justified in thinking that the Dutch veteran had the better of the encounter. Among the most serious losses was that of the Earl of Sandwich, who was drowned in endeavouring to escape from his blazing ship. James might still have crippled the enemy if he had been allowed to follow him into his own waters, but Charles and Shaftesbury were imperative that he should lay wait for the merchant ships from the Indies, whose cargoes were valued at millions. Such a prize would have freed the king from dependence either upon parliament or upon France. But the prey escaped and de Ruyter escorted it in safety to the Texel. CHAP. VI.

Of course in such circumstances English opinion denounced our French allies as half-hearted and treacherous. Men pointed to the slight exertions and the small losses of the French ships in Southwold Bay, and openly declared that their commander, D'Estrées, had orders to let the two rival maritime powers destroy each other.[1] And dissatisfaction was by no means lessened by the news that France was carrying all before it on land. Irresistible forces had been launched against the United Provinces under Condé, Turenne, and Luxemburg, the foremost commanders of their generation. The Dutch, ill-prepared and divided, were unable to offer any efficient resistance. Five of the seven provinces were either wholly or partially occupied, and Holland and Zealand were only saved by opening the dykes. The floods effectually checked an advance upon Amsterdam, which must have brought the war to a speedy close. As it was, there seemed to be no alternative but submission, and embassies were despatched both to Louis and Charles to implore peace. But even a speedy peace would have been too late to save the republican party, which had brought the country to the verge of ruin. William of Orange had been appointed captain-general at the outbreak of hostilities, and the rapid successes of the French impelled the people to demand his restoration to the power of his ancestors. The "perpetual edict" was repealed, and William was acknowledged as stadholder by the states of Holland and Zealand. So exasperated were popular passions that the usually phleg-

[1] Marvell, *Works* (ed. Grosart), iv., 294.

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matic Dutchmen were guilty of a crime which is more suggestive of Paris than of the Hague. John de Witt and his brother Cornelius, the former among the most eminent statesmen of his age, and both citizens who had rendered distinguished services to their country, were brutally massacred by a furious mob on August 4, 1672. It is a lasting blot upon the reputation of William III. that he took no step to prevent or reprobate so monstrous a deed.

Before the murder of the de Witts the internal revolution in the United Provinces had been completed. This, combined with the growing antipathy in England to the French alliance, suggested to Charles and his ministers the desirability of bringing the war to an end. The republican party, whose conduct had furnished the pretext for hostilities, had been overthrown. Charles had always professed a desire to serve the interests of his nephew, whose restoration was not likely to be permanently popular if it were associated with the ruin of the state. Moreover Charles believed that the new stadholder would be more yielding than his opponents, and that he would make concessions which would serve both to exalt the English monarchy and to justify its action in going to war. Buckingham's zeal for the war had been cooled when Monmouth supplanted him in the command of the English contingent, and Arlington was already beginning to tremble under the responsibility for having brought about the French alliance. These two ministers, hitherto regarded as rivals, were in June, 1672, sent on a joint embassy for the double purpose of discussing terms with William and of arranging with the French king conditions which would satisfy both the allies. With them was associated George Savile, Viscount Halifax, a nephew and pupil of William Coventry, who was destined within a few years to rise to a foremost place in English political life.

The embassy was unsuccessful.[1] William of Orange, encouraged by the prospect of assistance from the emperor and from Brandenburg, displayed a patriotic firmness which the envoys had not anticipated from his youth and his recent elevation. The English demands, which had been drawn up at the French camp at Utrecht, were unhesitatingly rejected

[1] For a full account of this embassy, see Miss Foxcroft, *Life and Letters of Halifax*, i., 70-97.

by the States General. Halifax, who had striven for more moderate proposals, found himself treated as a subordinate by his more experienced colleagues, and this served to confirm his original hostility to the French alliance. He returned to England to become its avowed opponent. CHAP. VI.

The continuance of the war, combined with the exhaustion of his resources and the failure to refill his exchequer with the spoils of Dutch commerce, compelled Charles to allow parliament to meet on February 6, 1673. During an interval of nearly two years several grievances had arisen which promised a stormy session. The virtual alliance between crown and parliament, which had been formed in 1670 on the basis of the new conventicle act and of the continuance of a popular foreign policy, had been flagrantly broken by the action of the king and his ministers. Instead of enforcing the conventicle act, the king had virtually suspended all penal laws by his declaration of indulgence. The Triple Alliance was at an end, and England was at war with one of its members in conjunction with the very power against which the alliance had been formed. To carry on the war the king had arbitrarily repudiated financial obligations, and had forcibly converted the interest due to his subjects into an involuntary loan at a rate of interest fixed by the borrower. What was still more serious, an uneasy suspicion had arisen that there was a deeply-laid conspiracy against the protestant religion. It is true that the original treaty of Dover had so far been successfully concealed. Even Buckingham and Shaftesbury were still in complete ignorance of its existence. And yet some such agreement was shrewdly suspected by men whose senses were sharpened by a passionate hatred of popery.[1] The war against Holland threatened to weaken or even to destroy one of the strongest bulwarks of protestantism in Europe. Louis XIV. did not scruple to justify it in his negotiations with the emperor on this very ground.

But the chief cause of suspicion was the conduct of the Duke of York. For some time his deliberate abstention from the sacrament had excited hostile comment. The conversion

[1] See Marvell, *Growth of Popery and Arbitrary Government*, in *Works*, iv., 266: "This treaty was a work of darkness, and which could never yet be understood or discovered but by its results".

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of his wife, the daughter of the former leader of the Anglican party, was inevitably attributed to her husband's influence. Since her death negotiations had been carried on for a second marriage, and it was known that none but Roman catholic ladies had been considered. The duke was an intimate adviser of his brother, whose loyalty to the established Church had from the first been lukewarm, and who had never concealed a desire to give relief to his Roman catholic subjects. To men who reasoned in this way the declaration of indulgence appeared to be a subtle attempt to conceal a partiality for Rome under the cloak of a zeal for toleration.[1] Even ardent cavaliers, who had proved their loyalty by sacrifices in the royalist cause, were not prepared to allow the king to tamper with the foundations of their Church.

Parliament was opened with speeches by the king and the chancellor which showed a shrewd appreciation of the lines on which opposition was to be expected. Charles, speaking with unusual force and clearness, demanded supplies both for the war and for the payment of his debt to the bankers, declared his intention to maintain the protestant religion, and warmly denounced the suspicion that he favoured popery. But the most noteworthy sentence was that in which he declared, "I shall take it very ill to receive contradiction in what I have done: and I will deal plainly with you, I am resolved to stick to my declaration". Shaftesbury did his best to excite the warlike spirit of the nation by declaring that "the states of Holland are England's eternal enemy both by interest and inclination," and by applying to the republic Cato's famous phrase, *Delenda est Carthago.* He excused the stop of the exchequer on the ground of financial necessities, maintained that toleration was for the interest of religion and the Church, and wound up with a peroration in which he hoped that "the triple alliance of king, parliament, and people may never be dissolved".

But the revived "country party"[2] was neither to be intimidated by royal authority nor cajoled by dexterous advocacy.

[1] For the attitude of the opposition, see an important despatch by Colbert (June 7, 1672), in Christie, *Shaftesbury*, ii., App. iii., pp. xiv-xviii.

[2] Burnet (i., 489) says that court and country parties had been almost forgotten between 1668 and 1670.

To prove their loyalty and patriotism, the commons accepted a bill to grant £1,238,750. But its progress was suspended until the house had dealt with the declaration of indulgence. The question was not a simple one. That the king had a right of dispensing with penal laws in individual cases was as unquestioned as that he had the right of pardoning an offender after conviction. But to allow this to be extended to the suspension of a whole body of statutes would enable the crown to nullify parliamentary legislation altogether. And the special plea that the king's action was justified by his ecclesiastical supremacy, was not likely to commend itself to men who distrusted Charles' loyalty to the Church and who had still more reason to fear the accession of his brother. By a majority of fifty-two the commons resolved "that penal statutes in matters ecclesiastical cannot be suspended but by act of parliament," and they presented an address to this effect to the king on February 19. In an adroit reply Charles reiterated his adhesion to the doctrine and discipline of the Church, denied that he was claiming a prerogative which had not been exercised by his predecessors, and expressed his willingness to assent to any bill which might confer liberty upon the dissenters. But the commons treated the answer as evasive, and presented a new address, denying that the declaration was justified by precedent, and demanding adequate assurance that it should not be "drawn into consequence or example". The lords, whose support the king had vainly endeavoured to gain, concurred in a joint petition for the expulsion of all alien priests and Jesuits within thirty days.

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Charles was at the parting of the ways. He must either stand firm, or he must incur the humiliation of abandoning a measure which he had publicly declared he would maintain. The Duke of York and Clifford, furious at the prospect of losing all for which they had striven, urged resistance. Shaftesbury, Buckingham, and Lauderdale, still convinced that the king was the genuine champion of toleration, gave the same advice. Parliament must be prorogued or even dissolved, and the danger of overt rebellion must be met by collecting all available troops in the neighbourhood of London or even by marching the Scottish forces into England. Arlington

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alone of the leading ministers counselled surrender.[1] The decision involved momentous consequences to Europe as well as to England. If the king resolved to enforce his will, he would lose the promised supplies, and would be compelled to withdraw from the war. The Dutch, who had looked forward to the meeting of parliament as their salvation, openly exulted at the turn which affairs were taking. But Louis XIV., informed through Louise de Kéroualle of all the discussions in the king's private chambers, could not afford to dispense with the English alliance. He was about to undertake a new campaign, and he was threatened by a coalition of the Emperor and of Spain with the Dutch. On March 7 Colbert conveyed to Charles his master's desire that he should for the moment avoid a quarrel with parliament, as disastrous to their joint interests, and with it a promise that, on the conclusion of the war, Louis would give even larger assistance in men and money than had been already stipulated. This advice, reinforced by the appeals of his mistress and of Arlington, and further strengthened by Charles' innate reluctance to risk an open struggle for power, proved decisive. On that very evening the seal which had been attached to the declaration of indulgence was broken, and on the next day the news that it had been revoked was formally communicated to the two houses. The extent to which public interest had been excited by the controversy was proved by the kindling of bonfires in the streets of London to celebrate the king's surrender.[2]

The exultant opposition did not hesitate to push their triumph to extremes. In accordance with the design of Sir William Coventry to form a great alliance of all protestants against popery, they had introduced a bill to grant some measure of relief to the dissenters. But they displayed far greater zeal in pressing on a bill "for preventing dangers which may happen from popish recusants". This measure, the celebrated test act, is said on good authority to have been actually suggested by Arlington as a means of getting rid of Clifford, whose elevation to the treasurership he had never forgiven.[3] The object of the act was to devise a test

[1] Dalrymple, ii., App.. p. 89; compare Burnet, ii., 11. Burnet confuses the rejection of the indulgence with the passing of the test act.

[2] Colbert to Louis XIV., March 20, 1673, in Dalrymple, ii., App., p. 93.

[3] *Id.*, Nov. 20, 1673, in Dalrymple, ii., App., p. 90.

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which no ecclesiastical authority could possibly elude by means of dispensation. All civil and military office-holders, and all members of the household of the king and the Duke of York, were to take the oaths of allegiance and supremacy, and before August 1 were to receive the sacrament according to the service of the Church of England. The most extreme provision was a clause which ordered that when taking the oaths the office-holder must subscribe the following declaration: "I do declare that I do believe that there is not any transubstantiation in the sacrament of the Lord's Supper, or in the elements of bread and wine, at or after the consecration thereof by any persons whatever". The bill passed its third reading in the commons on March 12. In the lords it was violently denounced by Clifford, but his vehemence only served to increase the suspicion that some of the ministers were hostile to protestantism. Men began to speak of impeachment, and Clifford's colleagues were eager to dissociate themselves from the position which he and the Duke of York had taken up. The measure was carried through the lords, and received the royal assent on the 29th. The king was paid for his compliance by the passing of the bill of supply, but the protestant dissenters, who had loyally co-operated in resisting the crown and in attacking the papists, found themselves rewarded with nothing but an additional disability. The requirement to take the Anglican sacrament imposed by the test act excluded them from office, and the promised relief from the penal laws was never granted. It is true that the bill of indulgence passed the commons, but the bishops succeeded in introducing unpalatable amendments in the lords.[1] The dispute was still unsettled when the prorogation of parliament on March 29 put an end to the measure.

That the withdrawal of the declaration of indulgence and the acceptance of the test act were largely due to the intervention of the French king was no secret even at the time. In giving his advice, Louis XIV. was actuated simply and solely by the consideration that his immediate need was the vigorous prosecution of the Dutch war. It has been argued that his policy was short-sighted, on the ground that the

[1] Lord Aungier said of the bill, "when we have finished cooking it we shall throw it out of window," *Essex Papers*, i., 57.

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maintenance of royal absolutism in England, dependent as it must have been upon France, was more to be desired even than a complete triumph over the Dutch republic. But it is the critics who are short-sighted. What ultimately foiled the ambitious designs of Louis was the revolution of 1688, provoked by an attempt to disregard the test act and to revive the policy of the declaration of indulgence. It would have been worse than useless from the point of view of the French king to have brought about such a revolution fifteen years earlier. If he could have influenced James II. in 1688 as he influenced Charles II. in 1673, he might never have met with the fatal checks of Blenheim and Ramillies.

The stormy session of February and March, 1673, had been fatal to the double and only partially coincident aims of the Cabal ministers. When the test act became law, there was little probability that Charles would ever be strong or resolute enough to carry out the conspiracy which, hatched on January 25, 1669, had grown into the monstrous treaty of Dover. When the indulgence was cancelled, it became clear that the identification of religious toleration with the furtherance of royal absolutism was a complete blunder, and that Shaftesbury and Buckingham must either abandon their attack on the penal laws or must seek to achieve their end by some other method. It is true that the French alliance and the resultant war with the Dutch remained, but to both sections of the Cabal these had been rather a means than an end in themselves. Moreover it was very unlikely that the opposition would continue in another session the same moderate and acquiescent attitude with regard to foreign policy. A little of the obstinacy which they had shown in religious affairs would suffice to put an end to a war which had already ceased to excite any enthusiasm in the nation.

The Roman catholic section of the Cabal, as being the most deeply involved in a policy which had been reprobated and condemned by the commons, naturally suffered most from the defeat. The Duke of York and Clifford practically avowed their adhesion to Roman catholicism by refusing to take the test and resigning their offices. To both it was a sacrifice of the first magnitude. In spite of his keen interest in naval administration, James retired from the admiralty, and in the

middle of a maritime war handed over the command of the fleet to his unloved cousin Prince Rupert. Clifford abandoned for ever the political career for which he had shown eminent qualifications, and in which he had risen with startling rapidity to the foremost place. He had no alternative occupation in which he could seek or simulate consolation, and within three months the world learned that he had perished by his own hand.[1] Arlington remained, but he had purchased temporary security by forswearing his former aims and by betraying the master and colleagues who had trusted him. Any hopes that his suppleness might earn for him the promotion that he so eagerly coveted were doomed to speedy disappointment. While the admiralty was put into commission, Charles resolved to appoint a new lord treasurer. Arlington's claims were passed over with even less consideration than in the previous year. He had shown himself to be cowardly and untrustworthy, nor was there anything for the king to gain by his appointment. CHAP. VI.

Charles' obvious policy was, if possible, to disarm and divide his opponents. Within the victorious country party there were two distinct sections: the cavaliers, who had resisted popery in the interests of the established Church, and the men who were genuinely eager to strengthen protestantism by removing the grievances of the dissenters. Among the former the ablest man was Sir Thomas Osborne, who had been active in opposition to Clarendon[2] and had since given evidence that his administrative talents were in no way inferior to his parliamentary powers. The latter section was headed by Sir William Coventry in the commons and by Halifax in the lords. It was almost imperative for the king to come for a time to some sort of terms with one or other of the two parties, and he can hardly have hesitated long between them. The cavaliers were in the majority, and they were at any rate pledged to loyalty so long as the Church was in no danger, whereas Coventry had shown himself scrupulous and self-willed, and Halifax had not obscurely hinted that the chief danger of the declaration of indulgence was

[1] On Clifford and his death, see Evelyn, July 25, and August 18, 1673; but compare *Letters to Sir J. Williamson*, ii., 40-42, 50.

[2] Reresby, p. 76, goes so far as to call him Clarendon's chief enemy in the commons.

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that hereditary right offered no guarantee against a popish successor to the reigning king.[1] Both the Duke of York and Clifford supported the candidature of Osborne, who received the white staff on June 19 and was raised to the peerage as Viscount Latimer in August. It is significant of the king's attitude for the moment that while Osborne received the treasurer's staff, Ormonde, the most eminent of the older generation of loyalists, was re-admitted to the inner council.[2]

Parliament had been prorogued till October, and in the meantime public attention was divided between the war and the negotiations for the Duke of York's second marriage. In neither was there anything to gratify national pride or prejudice. In three engagements, on May 28, June 4, and August 11, the allied fleets of England and France fought against the indomitable de Ruyter. On each occasion the English ships, after an obstinate encounter, were compelled to withdraw to their own coast. In the absence of a victory which should give command of the sea, it was found impossible to transport the 9,000 troops which had been collected for an invasion of Zealand. Grave suspicions were entertained that the real purpose of the king was not to employ his soldiers in the foreign war but to form a standing army for the suppression of English liberties.[3] The war on the continent was affected by the failure of English co-operation. Thanks to the engineering skill of Vauban, the French succeeded in capturing the great fortress of Maestricht. But this was more than counterbalanced by the formation of a hostile coalition against Louis XIV. On August 30, three important treaties were signed at the Hague. The United Provinces made separate agreements with the Emperor and with Spain for the maintenance of the treaties of Westphalia and Aix-la-Chapelle, while the three powers made a joint treaty with the Duke of Lorraine to obtain the restoration of his duchy. In face of this formidable combination, the English alliance was more than ever necessary to Louis. But it was daily becoming more and more doubtful whether Charles could obtain from parliament the needful supplies for continuing the war. The

[1] Burnet, ii., 111.
[2] *Letters to Sir J. Williamson*, i., 48, 58.
[3] Marvell, *Works*, iv., 293.

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inaction of D'Estrées' ships in the successive naval encounters had provoked a storm of indignation. Excuses were offered by the French government, but they were powerless to satisfy the English people, and Prince Rupert himself declared that he would never fight again in conjunction with the French.[1]

While public opinion was becoming more and more hostile to the war and the French alliance, anti-papal passions were rekindled by the news that James had agreed to marry a Roman catholic wife at the suggestion of France. His first serious proposal had been for the hand of a beautiful Austrian archduchess, with the pleasing name of Claudia Felicitas, who belonged to the Tyrolese branch of the Hapsburg family. But as the Emperor became more and more hostile to Louis XIV., it was difficult to reconcile such a marriage with the French alliance, and Louis did all in his power to prevent its conclusion. Finally the matter was settled when the Emperor lost his first wife in March, 1673, and became himself a successful suitor for the hand of his attractive cousin. This rebuff made it easy for Louis to induce James to marry the daughter of the Duke of Modena. Mary of Modena, who was barely fifteen, had never heard of England, and preferred life in a nunnery to marriage. But her ignorance and scruples were speedily removed; Louis himself guaranteed the dowry; the marriage by proxy was celebrated in September without waiting for a papal dispensation; and the bride set out by way of France to become, it was hoped, an instrument for reclaiming a schismatic state to the true Church.[2] Her arrival was delayed by illness until November 21, when the marriage was hurriedly confirmed with a very inadequate service[3] by the Bishop of Oxford, Nathaniel Crewe, whose pliancy was rewarded with the rich see of Durham. Politicians, such as Coventry, Shaftesbury, and Halifax, saw clearly what must force itself ultimately upon the slower mind of the public, that the duke's virtual avowal of Roman catholicism, followed by his marriage with a Roman catholic wife, constituted a danger to English protestantism, against

[1] *Letters to Sir J. Williamson*, ii., 9, 13.

[2] On the negotiations for James' marriage with Mary of Modena, see Campana de Cavelli, *Les Derniers Stuarts* (1871), i., 6 115; Dallari, *Il Matrimonio di Giacomo Stuart Duca di York con Maria d'Este* (Modena, 1896).

[3] See *Essex Papers*, i., 142.

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which the test act was a very inadequate safeguard. The idea of excluding James from the succession, though it did not ripen till 1679, germinated in the later weeks of 1673.

Parliamentary remonstrances failed to prevent the completion of James' marriage, but parliament could still vent its wrath upon the foreign policy with which the marriage was so intimately associated. After a week's prorogation for technical reasons, the assembly was formally opened on October 29. Shaftesbury spoke in a very different tone from that which he had employed ten months before. The phrase "that Carthaginian party" was applied to the anti-Orange faction, as if the destruction of Carthage, which he formerly urged, had been completed by the overthrow of de Witt and his followers. A liberal supply was demanded in order that England might assert its naval supremacy and make an honourable peace. The stop of the exchequer was now a "public calamity". This studied moderation served, and was probably designed, to encourage the opposition. Sir William Coventry vehemently attacked the French alliance,[1] urged the speedy conclusion of peace with the Dutch, and carried a resolution that supplies should be withheld until negotiations had failed. Other speakers denounced the maintenance of the military force at Blackheath and the ministers who had misled the king by evil advice. Lauderdale, who was suspected of a design to employ Scottish troops for the coercion of England, was singled out for accusation, when Charles, on the urgent appeal of the French envoy, suddenly prorogued parliament for two months. This took place on November 3, and six days later Henry Coventry was sent to demand from Shaftesbury the great seal, which was entrusted to Sir Heneage Finch with the title of lord keeper.

Shaftesbury's dismissal is an event of immense importance in the reign, but it was really only the recognition of a change of attitude on his part which had already taken place. His alliance with the court virtually terminated when the declaration of indulgence was cancelled, and a modern minister would have resigned on that occasion. He had sought to secure toleration by strengthening the royal prerogative against a bigoted parliament. Since the session of parliament in the

[1] Grey's *Debates*, ii., 203, 212.

spring he had learned that the king's pretended zeal for toleration only cloaked a design to restore Roman catholicism. The French ambassador deliberately asserted that Arlington, in his desire to save himself, divulged to Shaftesbury and Ormonde the secret of the treaty of Dover.[1] If this be true, and there is no reason to doubt it, it is easy to conceive how exasperated the keen-witted statesman must have been to find that he had all along been a dupe, when he believed that he was guiding the government. Even if he had no such precise evidence, he had every reason to suspect the truth, while the refusal of James to take the test and his subsequent marriage were enough to open his eyes to the dangers which threatened English protestantism. With the loss of office, all motive for hesitation was removed. From this time he became the active leader of the opposition, which he organised as no parliamentarian had ever organised it before. CHAP. VI.

During the prorogation Charles and Louis sought some means of convincing the opposition that the French alliance involved no designs against either the Church or the liberties of England. At Colbert's suggestion Louis sent over Ruvigny, a protestant, with £10,000 to distribute among the members of parliament. Colbert himself, who was suspected of encouraging popery, was recalled in January, 1674, and Ruvigny, who came as his colleague, remained as his successor. Charles ordered the enforcement of the penal laws against papists. As a last resource it was decided to communicate to a parliamentary committee the second sham treaty which had been signed in February, 1672, and the king had the effrontery to declare in his opening speech that "there is no other treaty with France, either before or since, which shall not be made known to you". Even Charles lost countenance as he uttered this deliberate lie,[2] which came too late to make the desired impression. Incessant attacks were made upon the papists, in order that the religious danger and its connexion with the French alliance might be kept prominently before the people. The responsibility of ministers was strenuously asserted, and addresses were carried in the lower house for the dismissal of Lauderdale and Buckingham. Arlington escaped a similar denunciation by a majority of forty votes, but his enemies

[1] Dalrymple, ii., App., p. 90. [2] *Essex Papers*, i., 161.

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carried the appointment of a committee to examine if there were grounds for his impeachment.[1] Meanwhile no notice whatever was taken of the king's demand for supplies.

Charles realised that the continuance of the war was hopeless: and this conviction was strengthened when the Spanish envoy presented a conciliatory offer from the Dutch, and declared that Spain would feel pledged to make war against England if it were rejected. The king appealed to parliament for advice, and the two houses urged him to make peace. To Louis Charles pleaded that he acted under coercion. Terms were hastily settled between Sir William Temple and the Spanish envoy, who had full powers from the republic, and the treaty of Westminster was signed on February 9, 1674. The Dutch, who were not without hopes of securing English assistance against France, granted more favourable terms than the fortunes of war entitled this country to demand. The salute of the flag was conceded as a matter of right in the waters north of Cape Finisterre, and the United Provinces agreed to pay to Charles the sum of 800,000 crowns. By a secret article the two states were pledged not to aid the enemies of each other. Strictly interpreted this involved the rupture of the Anglo-French alliance, but Charles so far evaded it that he did not withdraw the regiments which had been sent under Monmouth to serve with the French army.[2]

Even the announcement of peace, welcome as it was, failed to conciliate the opposition. Bills were proposed to secure the protestant education of the royal family and of the children of peers. Lord Carlisle provoked a storm by urging that in the future a prince who married a Roman catholic should forfeit his claim to the throne. This was rejected as too violent a censure upon the king and his brother. But there was not the slightest possibility of obtaining money, and Charles determined to get rid of an assembly from which nothing but harm could be expected. Both he and Louis feared that pressure might be exerted to unite England with the European coalition against France. Charles had a more

[1] See *Letters to Sir J. Williamson*, ii., 111 *et seq.*, for these attacks upon ministers.

[2] He actually promised to France that he would leave them: Ruvigny to Louis, Feb. 19, 1674, in Dalrymple, ii., App., p. 108.

personal terror. The threat of impeachment was still held over Arlington, and the king had no desire to face the disclosures which might result from a public trial. And so, to save himself rather than his minister, Charles prorogued parliament on February 16. CHAP. VI.

In spite of the incessant activity and agitation of parliament during its recent meetings, the test act was the only measure of first-rate importance which had been placed on the statute-book in the past twelve months. Nevertheless the year had witnessed a victory of the parliament over prerogative which had profoundly modified the Restoration settlement. A deliberate attempt to extend the dispensing power of the crown into a right to suspend parliamentary statutes had been completely defeated. The king's ecclesiastical supremacy had been declared to be subject to law. A powerful combination of able ministers had been checkmated and dispersed. Two officers of state, one of whom was the heir-apparent to the throne, had been compelled to resign. A third had himself come over to head the opposition, and another was on the verge of following his example. Those who remained had been taught that their responsibility to parliament was no empty phrase. A conspiracy, in which a great foreign prince was involved, to alter the religion of the state and to establish absolute monarchy, had for the moment been ignominiously foiled, and the political ascendency of the Anglican Church had been placed on a secure footing by the test act. Finally, parliament had successfully asserted its right to control, if not to dictate, the foreign policy of the crown.

CHAPTER VII.

THE ADMINISTRATION OF DANBY.

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CHARLES had ruled for nearly fourteen years when the treaty of Westminster was concluded, and he had little cause for self-gratulation in the retrospect. The parliament, which had assembled in a spirit of exuberant loyalty in 1661, had become, at first grumbling and impatient, and at last openly recalcitrant. From the great struggle of 1673 the restored monarchy emerged defeated and crestfallen. It is noteworthy that Charles had as yet made no use of the weapon of dissolution which his predecessors had so often resorted to in previous contests. The explanation is that as things stood the weapon was worse than useless. If Charles could have convinced himself, as his father had so often confidently believed, that public opinion was on his side, he would long ago have tested it by a general election. But he was too keen-witted to have any illusions on this point. If parliament detested the French alliance, the people were still more hostile. If the protestant dissenters had good reason to desire relief from hostile legislation, they would not allow it to be purchased by concessions to the Roman catholics. Charles was neither rich enough nor reckless enough to attempt to govern without parliament, and he deemed it safer to continue an assembly which contained a majority of professed loyalists, than to risk the return of members who might avow the principles of Pym and Hampden.

As the king could neither defy nor dispense with parliament, he was driven to conciliate it. It was with this object that he had called to the foremost place in his counsels Sir Thomas Osborne, who in 1674 received the title of Earl of Danby, by which he is best known in history. Danby had risen into prominence as an opponent of Clarendon, rather

because it was then the fashion among aspiring politicians to grumble at the chancellor's ascendency than because he had any real antagonism to his policy. When the Cabal endeavoured to reverse that policy, he had stood on one side, and had been content with administrative work in the treasury and the admiralty. He had no responsibility for the treaties with France, or for the declaration of indulgence. The task which he now undertook was to restore harmony between crown and parliament, and he had a shrewd idea as to how it could be accomplished. He recognised that there were certain irreconcilable opponents, such as Shaftesbury, Halifax, William Coventry, and others, who could neither be bribed nor cajoled. But they could be disarmed and rendered powerless by the detachment of their followers. For this purpose the minister was prepared to make lavish use of the ordinary methods of corruption. A member of the lower house who would support the court measures was certain to be introduced by the treasurer to the king, and Charles had always at command the winning smile and the well-chosen words which sent the recipient away with a confident belief that his fortune was made. Those who were proof against royal fascination might hope to earn more substantial rewards.[1] By these methods Danby set himself to organise a court party which should be more coherent and disciplined than the opposition, built up as the latter was of discordant and only momentarily united factions.

But systematic corruption was not the only nor even the chief measure which Danby adopted to gain a parliamentary majority. He desired to abandon altogether the policy which had more or less openly been pursued since the fall of Clarendon. The house of commons was still mainly composed of cavalier churchmen. They had been estranged from the monarchy because the king had favoured men and measures in opposition to the interests of the established Church. Danby would revive their loyalty by removing their grievance. He would abandon all schemes of indulgence, enforce the penal

[1] For a good illustration of Danby's recruiting methods, see Reresby (pp. 106-8), who succumbed to them: but he admits (p. 110) that "some votes were gained more by purchase than by affection". On the presence of office-holders in the commons, see Marvell, iv., 323-27.

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laws against both protestant and popish nonconformists, and erect upon a firm foundation the exclusive ascendency of Anglicanism. And, finally, in order to complete the process of conciliation, he wished to put an end to English dependence upon France and, if necessary, to deprive France of its menacing predominance by adding England to the coalition of hostile powers.

Such a scheme, systematically carried out, had every chance of success. But Danby was a minister not a monarch. Even if the king consented to follow his advice, he could not offer any sufficient guarantee of Charles' sincerity. Still less could he convince public opinion that no danger was to be dreaded if the crown passed to the Duke of York. The prospect of a Roman catholic succession was a formidable obstacle to cordial co-operation between crown and parliament. Outside parliament there were still more serious difficulties to be overcome. In the inner council Danby's chief colleagues were the king's brother and the Duke of Lauderdale.[1] James had favoured Danby's appointment, but he had no sympathy whatever with the policy which he now advocated. Lauderdale was willing for the time to turn his back on toleration and to persecute religious dissidents in England and in Scotland; but he was an intensely selfish politician, he was bound by no ties to Danby, and was eager rather to supplant than to support him. Moreover, he was extremely unpopular, and he had no weight with the English parliament.

Not only did Danby stand practically alone in the council, but he could not himself trust the king. To Charles the conciliation of parliament was merely a means to gain certain ends. What he wanted was, not the exaltation of the cavalier party or of the Anglican Church, but the power to govern as he chose. If that power were merely to be employed in carrying out the wishes of parliament in home and foreign affairs, then prerogative would have passed from the king to the commons. Or if he merely ruled in accordance with the advice of an able minister, he would return to the tutelage from which in 1667 he had so exultingly emerged. Danby may be said to have resumed, in opposition to the Cabal, the main lines of Clarendon's policy, but he had none of those

[1] *Essex Papers*, i., 258, "Duke, Tre[asurer], Laud[erdale] governe all".

claims to deference which prolonged services had given to the great chancellor. Charles might allow the persecution of papists for a time in order to evade momentary difficulties, but he was not yet prepared to abandon their cause altogether. And in foreign policy king and minister never came to any substantial agreement. Charles had not the slightest intention of giving up the French alliance or French subsidies. Still less was he willing to contemplate such a union with the allied powers as would possibly involve him in a war with France. To the French envoy he declared that he could never forget his obligations to Louis; but his real motive was a deliberate determination to maintain peace for the rest of his reign. His two wars had on the whole been humiliating rather than triumphant, they had diminished his income and trebled his expenditure, and to them he attributed the financial disorders which had hampered him in his dealings with parliament. The first war had led to the appropriation of supplies and the audit of accounts; the second to the withdrawal of the indulgence and the passing of the test act. CHAP. VII.

In this divergence of aim between the king and his minister, and in the predominant influence over English affairs exerted by French diplomacy, is to be sought the clue to the somewhat tangled events of the four years which followed the defeat and dispersal of the Cabal. The motives of French intervention are perfectly clear. The whole character of the continental war had been altered by the alliance of Spain and the Emperor with the Dutch. The reduction of the United Provinces had become impossible, and by 1674 they had been almost entirely evacuated by French troops. On the other hand, Louis could now return to the more attractive scheme of humiliating the Hapsburgs, and of extending the frontier of France, by conquering Franche Comté and the border provinces of the Spanish Netherlands. His enemies on their side hoped, not merely to resist French aggression, but to deprive France of its recent acquisitions by the peace of Aix-la-Chapelle, to restore the Duke of Lorraine, and, if possible, to recover Alsace for Austria. On the whole, greater unity and concentration, more highly trained troops, and superior generalship gave the French the advantage against the forces of the coalition. Turenne, until a cannon ball killed him in 1675, proved more

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than a match for Montecuculi in Alsace; and Condé, victor in the great battle of Seneffe, was a far better tactician than William of Orange. But the efforts which France had to make were exhausting, the people were reduced to despair by the load of unequal and ill-devised taxation, and the balance of military and naval power would be certainly reversed if England threw its weight into the opposite scale. It was, therefore, imperatively necessary for the French king, if he could not retain the English alliance, to secure at any rate the continuance of English neutrality. For such a purpose a lavish expenditure of money would be cheap in the end. As long as the English king was loyal to France, while the parliament clamoured for a French war, so long Louis was willing to subsidise the king in order to free him from parliamentary control. But if Charles for any reason should prove faithless, and should seek to curry favour with his subjects by picking a quarrel with France, Louis was perfectly ready to transfer his bribes to the parliamentary opposition, and to convince them of the impolicy of trusting a would-be despot with a trained army. At the worst he could betray the secrets of English diplomacy, even the treaty of Dover itself, and stir up a protestant revolt. England distracted by civil war would be preferable to England united in hostility to France.

The ministerial changes, which had begun with the resignations of Clifford and the Duke of York, were completed in the summer of 1674. On the pretext of the recent parliamentary attacks, Charles dismissed Buckingham at the close of the session, and the discomfited duke carried his eloquence and his powers of intrigue to the service of the opposition. Shaftesbury, already deprived of the great seal, was on May 19 excluded from the privy council. In June Arlington was commanded or induced to sell for £6,000 his secretaryship of state to Sir Joseph Williamson, whose talents had raised him from a fellowship in Queen's College, Oxford, to a distinguished place in the public service. But Arlington knew too many secrets to be safely alienated, and he was consoled for the loss of his political post by the place of chamberlain of the royal household. Of the members of the Cabal only the tenacious Lauderdale remained. Although he had been attacked by the English and thwarted by the Scottish parliament,

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Charles still considered him indispensable for his service in Scotland, and showed his continued confidence by giving him an English peerage as Earl of Guilford in June, 1674.

The chief questions which agitated England after the conclusion of the Dutch war were the succession to the throne and the relations of England to the contending powers on the continent. The opposition could not be silenced or conciliated so long as Charles' heir was virtually an avowed Roman catholic, and as long as there was a likelihood of male issue by Mary of Modena. The simplest way out of the difficulty was to re-convert James to protestantism, and no efforts were spared by Gilbert Burnet, Stillingfleet, and other eager controversialists to achieve so desirable an end. But Charles, who had every reason to desire at least a feigned conformity, warned the protestant champions that his brother was "as stiff as a mulet,"[1] and James turned a deaf ear to both exhortations and arguments. His obstinacy necessarily encouraged the idea of exclusion, which had been mooted in the recent session, and it was hoped that Charles himself might be induced to sacrifice the cause of a brother who caused him so much inconvenience. It is true that the king had rejected all proposals for a divorce from Catharine of Braganza, but there was an alternative scheme to which he might be gained over. His love for the Duke of Monmouth was believed to be unbounded. Monmouth had been appointed to the coveted command of the English contingent to the French army, and his courage and conduct at the siege of Maestricht had been industriously advertised throughout Europe. Since then Charles had revived in his favour the office of commander-in-chief, which had been suppressed after the death of Monk, as conferring dangerous power upon a subject. And this had been done in defiance of the protests of the Duke of York.[2] If only the king would become a party to the plot, it would be easy to find or manufacture evidence of a legal marriage with Lucy Walters; and Monmouth, once acknowledged as legitimate, would become the heir to the throne. But here the conspirators came into collision with one of the few deeply rooted principles which the easy-going Charles

[1] Burnet, ii., 5.

[2] *Dartmouth MSS.* (Hist. MSS. Comm. Rep., xi., App. 5), p. 35.

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refused to abandon. He had all the Stewart belief in the sanctity of hereditary right, and declared that "well as he loved the Duke of Monmouth, he had rather see him hanged at Tyburn than own him as his legitimate son".[1] In face of the king's resolution the scheme was perforce dropped, and more driving power was needed before it could be once more pressed as a popular demand.

As regards foreign affairs, England was now a neutral state. Its neutrality proved in a sense profitable, because English trade benefited by the troubles of its rivals, and Charles' revenue from the customs was largely increased. On the other hand, the continuance of the war involved the risk of inconvenient parliamentary demands for an alliance with the coalition; and it crippled Louis' ability to gratify Charles' pecuniary demands. Accordingly the first use which Charles made of his liberty was to offer his mediation to bring about a general peace.[2] The offer was naturally regarded with some suspicion by the allies. The English troops remained in the service of France, and the Dutch dared not insist on their recall for fear of losing the Scottish and English brigades which had been an integral part of the Dutch army since the war of independence. And the would-be mediator proved his continued regard for French interests by renewing the prorogation of parliament till April, 1675.

At the same time, there was a possibility that England might facilitate negotiations by obtaining the adhesion of William of Orange, who was a Stewart on his mother's side, and stood next to the daughters of the Duke of York in the order of succession to the English throne. Charles believed that he had some claims to his nephew's gratitude, and that he could increase his hold upon him by arranging a marriage between William and his cousin Mary. The scheme was pressed by Arlington, who hoped by its success to recover his lost influence at court. Arlington, whose wife was related to the house of Orange, had now wholly abandoned that connexion with France into which he had been led in 1669 by the influence of the Duke of York. In spite of the opposition of Ruvigny, who saw clearly that such a marriage might be

[1] Clarke, *Life of James II.*, i., 490. Burnet (ii., 179) quotes a similar phrase as uttered by the king in 1679.

[2] Arlington's *Letters*, ii., 468.

fatal to French interests, and of James, who declared that his daughter's hand ought to be asked for before it was offered, Charles adopted the suggestion and sent its proposer to the Hague.[1] But William distrusted Arlington, and regarded the proposal as designed to sow dissension between himself and his allies. The marriage with Mary, which three years later was to make such a stir in Europe, was for the moment declined on the ground of her youth. But although William refused to make any separate agreement with England, Charles' offer of mediation was accepted, and in July, 1675, a congress was summoned at Nimeguen. Peace, however, proved impracticable, as neither party in the war was sufficiently exhausted to give way, and for two years the congress proved completely futile.

Meanwhile the English parliament had assembled on April 13, 1675. Its action in 1673 had elevated it to the rank of a European power. Continental states realised that the policy of England might be shaped by parliament quite as much as by the king, and their envoys were provided with funds with which to influence its decisions. Never was membership of parliament so lucrative to a man with an easy conscience. Danby had made careful preparations for the session by the issue of a proclamation, drawn up in consultation with the bishops,[2] ordering the strict enforcement of the law against conventicles, and imposing severe penalties upon English subjects who should take Romish orders or attend mass. The proclamation was in such glaring contrast to the indulgence which barely two years before the king had declared he would maintain, that it could deceive none but those who wished to be deceived.[3] Yet it so far served its purpose that it silenced for the time the no-popery cry which had been so loud in the two previous sessions. And Danby's other methods of conciliating support were successful enough to convince the opposition leaders that they had a far more difficult task than in 1673. They renewed the attack upon Lauderdale, and

[1] On Arlington's embassy, see Temple, *Works*, i., 394-98; Carte, *Life of Ormond*, iv., 495; Clarke, *Life of James II.*, i., 500-2.

[2] Ruvigny, Feb. 11, 1675, in Campana de Cavelli, i., 146-48.

[3] See the mock king's speech by Marvell, which was anonymously circulated at the opening of parliament, in Marvell's *Works*, ii., 431-33; Birrell, *Andrew Marvell*, pp. 200-2.

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Burnet forfeited the favour of the king and his brother by revealing a private conversation in which the duke had unguardedly talked of the employment of Scottish troops in England.[1] This secured the carrying of an address for Lauderdale's dismissal; but a mere address was innocuous, and the king refused to part with his minister. Against the treasurer himself the more vigorous method of impeachment was proposed, but the seven articles which were drawn up as the basis of accusation were severally rejected by a hired majority. An address to demand the withdrawal of all English troops from the service of France, after a violent debate which almost degenerated into a fight, was defeated by a majority of one vote.

Not content with success in this defensive warfare, Danby proceeded to attack his enemies by introducing in the house of lords a bill for a new test. By this bill the declaration that resistance to the crown was unlawful, and the oath to abstain from all endeavour to alter the government in Church and State, which had been exacted from nonconforming ministers in the five-mile act, were to be imposed upon members of both houses of parliament, upon privy councillors, and upon all office-holders under the crown. The effect would be to restrict all political power to members of the Anglican Church. Such a measure had been opposed even in the first fervour of the Restoration, and it met with a storm of indignation now that that fervour had been exhausted. For seventeen days, often in very prolonged sittings, the great debate went on, and Charles himself was a constant listener by the fireside of the house. Shaftesbury, Buckingham, and Halifax outdid themselves in the art of strenuous and yet reasoned obstruction.[2] Yet in spite of their efforts the cavalier majority would probably have carried the measure in the commons, but for the opportune outbreak of a new quarrel between the two houses. Dr. Thomas Sherley brought an appeal from chancery before the house of lords, and one of the defendants, Sir John Fagg, was a member of the lower house. The commons treated

[1] Burnet, ii., 74; Marvell, *Works*, ii., 441, 467.

[2] Burnet, ii., 83; Christie, *Shaftesbury*, ii., 205-8, and App. vi.; Marvell, *Works*, iv., 304; and the famous pamphlet entitled *Letter from a Person of Quality to His Friend in the Country.*

the summons of Fagg to appear before the upper house as a breach of privilege, and resolved that the lords had no right to hear appeals from courts of equity. In this quarrel the lords had the better cause on grounds both of precedent and of public utility, and Shaftesbury hastened to serve the interests of his party by a vigorous championship of the jurisdiction of his house. So envenomed did the quarrel become that all public business was at a standstill, and the king was compelled to put an end to the scandal by proroguing parliament on June 9 till October 13. "In this manner," says Marvell, "the fatal test, which had given so great disturbance to the minds of our nation, died the second death;[1] which, in the language of the divines, is as much as to say it was damned." And not only was Danby's great scheme defeated, but the king also lost supplies which had been proposed in the commons for the increase of the fleet.

One result of this important session was that parties had come to be divided more precisely, and more in accordance with their subsequent grouping, than had previously been the case. The original "country party" had consisted of discontented cavaliers, alienated from the crown partly by personal dissatisfaction but mainly by distrust of Charles' ecclesiastical policy. But the union of the court with the advocates of religious toleration had been terminated by the dissolution of the Cabal, and Danby had succeeded in renewing the alliance between Crown and Church. The supporters of the non-resistance test were in the main the later tories, its opponents were a few years later to develop into the whigs.

Another result of the session was to convince the opposition leaders that their cause was hopeless in the present parliament. In the lords they were in a complete minority; and in the commons their opponents were on the whole too strong for them. It is true that there were a number of independent members whose votes might give a victory to either party, but these men were peculiarly open to corrupt influences, and Danby had the more tempting bribes to offer. And so Shaftesbury and his associates were driven more and more to

[1] In 1665 a proposal to impose a similar test upon the whole nation had been rejected by six votes. On that occasion Sir Thomas Osborne had voted in the majority. See Marvell, *Works*, iv., 305, 310; and above, p. 70.

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aim at a speedy dissolution. There were certain forces which might at any moment come to their assistance. The Duke of York and his personal adherents had no reason to trust Danby or to favour the exclusive pretensions of the established Church. And Louis XIV. and his envoy, with whom James was in constant communication, regarded Danby as an enemy of France, dreaded parliamentary pressure upon the unstable king, and had already sufficient evidence of the anti-French sentiment which actuated the present house of commons. Ruvigny and his master had frequently suggested a dissolution, and on this point there was a germ of co-operation between France and the opposition. On August 27 a secret agreement was made by Charles by which he undertook that, if parliament in the approaching session continued to display hostility to France, it should be finally dissolved. In that case Louis promised to pay £100,000 a year to the English king. Ruvigny held that it was a cheap bargain.[1]

The houses met on October 13 without any suspicion of the penalty which they might incur. On the question of money the commons showed little generosity. They refused, by a small majority, to pay the debt contracted during the late war. In spite of the ministerial contention that the customs dues had been pledged for the interest of loans already contracted, they insisted that the revenue from tunnage and poundage should be appropriated for naval purposes. At the same time bills were introduced for increased security against arbitrary arrest, for the exclusion of papists from both houses of parliament, and for the recall of all English troops from the French service. But neither the money bills nor any of these other measures were destined to become law. The case of Sherley *versus* Fagg was still a fatal bar to legislation. Shaftesbury, in a speech of equal weight and lucidity, carried a resolution to fix a day for hearing the appeal, and the infuriated commons voted that any one bringing an appeal against a commoner from a court of equity before the lords "shall be deemed a betrayer of the rights and liberties of the Commons of England, and shall be proceeded against accord-

[1] Ruvigny to Louis, Sept. 2, 1675, in Mignet, *Négociations*, iv., 367. Dalrymple (ii., App., p. 99) erroneously dates this letter in 1674: see Christie, *Shaftesbury*, ii., 199.

ingly". The opposition seized upon the interruption of business as a text from which to preach the uselessness of the present parliament. It was moved in the house of lords that the king should be addressed to dissolve it. To the astonishment of everybody, the Duke of York, who had hitherto scrupulously abstained from any overt opposition to his brother's government, supported the motion. Only the unanimity of the bishops and the proxies which were in Danby's hands enabled the minister to obtain a majority of two votes. On the treasurer's advice, Charles evaded further difficulties by proroguing parliament for fifteen months, from November 22, 1675, to February 15, 1677. Although the recent agreement with France had not been literally kept, Charles demanded the proposed subsidy, and on Ruvigny's representation of the impolicy of alienating the king, Louis agreed to its payment.[1] CHAP. VII.

In the two sessions of 1675 the measures of Danby had been partially, but only partially, successful. The crown had not met with anything like the humiliations of 1673. No compulsory change of ministers or of foreign policy had taken place. In the lords the court had maintained a majority, and in the commons, though there had been some wavering of the balance, it had more than held its own. But if there had been no defeat, there had certainly been no brilliant victory. The test had not been imposed. Not a single vote of supply had passed. In fact the only measure added to the statute-book in the two sessions was an act for the re-building of Northampton. In view of these scanty achievements, Danby was hardly in a position to dictate to the king in foreign affairs. Not only did he fail to induce Charles to come to terms with the allies, he was compelled to witness a closer approximation to France. Charles himself proposed to Ruvigny a treaty by which the two kings were to pledge themselves to give no aid to each other's enemies, and to conclude no treaty with foreign powers except by mutual consent. His only confidants in England were the Duke of York, Lauderdale, and Danby. Danby, who assented to the treaty with the greatest reluctance, refused to countersign it unless it were submitted to the other ministers of the crown. But Charles, unwilling to run the risk of publicity which would

[1] Mignet, *Négociations*, iv., 376.

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be ruinous to his character of mediator, copied the treaty with his own hand and sealed it with his private seal. Louis XIV. did the same, and the two documents were interchanged.[1] France was thus enabled to continue the war for another year without any risk of hostile action on the part of England.

If parliament had been sitting in 1676, there were two points on which difficulties would have arisen. One was the open avowal by the Duke of York of his change of faith. Henry Compton, who had been made Bishop of London on Danby's nomination, appealed to the duke for leave to proceed to the confirmation of the Princess Mary. James refused, and declared that his daughter had been educated as a protestant against his will. The bishop carried the matter to the king, who authorised the ceremony, and Mary became a full member of the English Church.[2] From this time James ceased altogether to attend the Anglican service,[3] as he had abstained since 1669 from receiving the sacrament. All doubt as to his creed was now at an end, and the nation was confronted with the certainty that in the natural course of things it would fall under the rule of a popish king. At the same time alarm and ill-feeling were aroused by a renewal of French successes in the war. Louis took Condé and Bouchain in the Spanish Netherlands, and an attempt of William of Orange to recover Maestricht was decisively repulsed by Marshal Schomberg. But what specially concerned England was the emergence of France as a first-rate maritime power. Colbert had with immense care constructed a formidable fleet, and in Abraham Duquesne France found a naval commander of eminent courage and ability. De Ruyter, whose name occupies in the naval annals of Holland the pre-eminence which Nelson subsequently acquired in those of England, perished in an encounter with Duquesne in April, 1676. The occupation of Sicily made France supreme in the Mediterranean.

As the time approached for parliament to reassemble, it became evident that the two strongest forces to be reckoned with were antagonism to France and dread of Roman catholicism. In the public mind the two were intimately associated

[1] Mignet, *Négociations*, iv., 381-86; Dalrymple, ii., App., p. 105.
[2] Clarke, *Life of James II.*, i., 502.
[3] Campana de Cavelli, i., 166, 168.

together. The Duke of York was regarded as a partisan of the French alliance, and the substitution of Courtin for Ruvigny seemed to imply a return on the part of France to that championship of Romish interests which had been charged against Colbert de Croissy. If Danby could have had his own way in foreign policy, these popular prejudices might have been used to strengthen his hold upon parliament. His attitude was still what it had been when Ruvigny wrote in February, 1676, that "the treasurer, who has more fear of the parliament than of his master, is very hostile to the interests of France and hopes thereby to obtain the favour of the people".[1] But Charles disliked dictation in foreign affairs, and Danby's only chance of influencing the king lay in his ability to obtain a liberal grant of money from the parliament.

Danby's opponents played into his hands. In defiance of the prudent advice of Halifax and William Coventry,[2] Shaftesbury and Buckingham determined to press a contention that a prorogation for more than a year was illegal, and that the parliament had *ipso facto* ceased to exist. The argument, which had been much debated during the recess, was based upon two statutes of the reign of Edward III. prescribing annual parliaments. But these statutes were virtually obsolete, and had been ignored both in the triennial act of the Long Parliament and in the act of 1664 for its repeal. The existing law was that parliament must meet at least once in three years. Regardless of these considerations, and of the impolicy of telling an assembly so conscious of its own importance that it had no right to sit, Buckingham rose in the lords on the opening day, February 15, 1677, and moved that the question of legality be considered. When the motion was denounced as an insult to the house, the mover was defended by Shaftesbury, Salisbury, and Wharton. But the vast majority were against them, and the four peers were ordered to ask the pardon of the house for their offence. On their refusal they were committed to the Tower, and Shaftesbury and Salisbury exasperated the king by requesting that their cooks might be allowed to accompany them, as though they feared poison.[3]

[1] Dalrymple, ii., App., p. 204; compare Reresby, pp. 116, 119; Burnet, ii., 96, 126.

[2] Burnet, ii., 117; Foxcroft, *Halifax*, i., 125.

[3] *Ibid.*, p. 118; *Rutland MSS.*, ii. (Hist. MSS. Comm. Rep. xii., App. 5), p. 39.

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If the lords, who were not personally affected by a dissolution, were so indignant, it is easy to imagine the fury of the commons, many of whom had little hope of re-election. The court party was for the moment in possession of a secure majority. A sum of nearly £600,000, double the amount which had been proposed in 1675, was voted for the construction of ships, and the additional excise on beer was renewed for three years. Danby was exultant, and set himself to conciliate protestant prejudices by proposing securities against the possible abuse of ecclesiastical patronage by a Roman catholic king. By the terms of his bill, which was introduced in the upper house, the declaration against transubstantiation required of office-holders by the test act was to be required from future sovereigns. If they refused, they were to forfeit the right of appointing to bishoprics and benefices. On a vacancy a commission of clergymen was to select three names, and the king was only allowed to make his choice among them. The bill passed the lords, but met with less favour in the commons. The implied assurance that a Roman catholic was entitled to rule was distasteful to many, while others complained of the excessive and dangerous authority which would be conferred upon the clergy. The measure had not passed the second reading when disputes on foreign affairs brought about a startling change in party relations.

The campaign of 1677 opened with a series of sensational French successes. By the middle of April Valenciennes and Cambray had fallen, William of Orange had been defeated at Cassel, and St. Omer, which he had endeavoured to relieve, was compelled to surrender. The Spanish Netherlands, the chief bulwark of the Dutch republic, and of almost equal importance to the maritime interests of England, seemed to lie at the mercy of France. Charles could hardly look on without misgivings, the more so as William's continued ill-success in the field encouraged the anti-Orange party to renewed activity. A counter-revolution in the United Provinces might easily lead to dependence upon France and revived hostility to England. But it was in the house of commons that the news of the French triumphs made the most profound impression. Sir William Coventry succeeded in reuniting the opposition party which had been shattered by the ill-considered

action of its leaders in the upper house. The envoys of the allied powers seconded his efforts by the employment of the funds at their disposal. Addresses to the king urged him to join the coalition in active measures against France. Charles adroitly replied that if they wished him to intervene, they must provide him with the funds necessary to make intervention effective. The opposition refused to trust him, contending that an alliance must be made before it was safe to grant the money. A lengthy and outspoken address to this effect was presented to Charles on May 26, and two days later he personally read his reply. As had been anticipated, he expressed deep indignation at the attempt to dictate to him the actual details of foreign policy. "Should I suffer this fundamental power of making peace and war to be so far invaded (though but once) as to have the manner and circumstances of leagues prescribed to me by parliament, it is plain that no prince or state would any longer believe that the sovereignty of England rests in the crown." He concluded this unusually stern rebuke by ordering the adjournment of parliament.[1]

At first sight it appeared that the session, which opened so favourably, had ended disastrously for Danby, and that the opposition, by taking advantage of the strong current of hostility to France, had recovered the ground which they had momentarily lost. This was the estimate formed by Burnet.[2] But, from the point of view of Danby personally, it is an exaggeration. He shared in large measure the opinions which had been put forward, and believed that the insistence by the commons upon a Dutch alliance was an argument which might ultimately carry weight with the king. For the moment, it is true, the irritation caused by the attack upon prerogative drove Charles into closer relations with France, and Danby had not sufficient resolution to resist. Both he and the Duke of York opened negotiations with Courtin for a sum of money which should make the king independent of parliament. Courtin was empowered to make such a bargain, but refused Danby's excessive demands. At last it was agreed on August 5 that France should pay two million *livres* in

[1] Marvell (iv., 361-406) gives a full account of the disputes between crown and commons on foreign relations.

[2] Burnet, ii., 126.

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instalments within the next six months, and that parliament should remain adjourned till the end of April, 1678.[1]

At the very time when this disgraceful bargain was being made, Danby was successfully urging Charles to arrange a marriage between the Princess Mary and William of Orange and to make a separate agreement with the Dutch republic. If honestly carried out, this would amount to a complete revolution in English foreign policy and a return to the principles of the Triple Alliance. The arguments employed were mostly those which had weighed with Charles when he had contemplated such a marriage in 1674. It would gratify the protestant sentiments of his subjects, and would remove most of the difficulties in which the king had been involved by his brother's indiscreet avowal of his conversion to Rome. The history of the recent session seemed to prove that parliamentary distrust would be allayed and the fountains of its liberality opened. The French king would have to lay aside the rather patronising tone which had sometimes grated on the ear of his dependent cousin, and Charles might become the arbiter of Europe and the dictator of terms to the contending powers. Charles was genuinely desirous of peace, and was not a little annoyed that the congress at Nimeguen had hitherto produced no results. Danby's arguments were reinforced by those of Temple, ever the champion of a good understanding with Holland. He came over from Nimeguen to take his part in the discussion, and Danby would have liked to make him secretary of state in place of Henry Coventry.[2]

On the other hand, the scruples which the Prince of Orange had felt three years before had been completely removed. His ill-success in the field and his growing unpopularity in the States convinced him that his only hope of ultimate success lay in detaching his English uncles from their alliance with Louis XIV. In June he sent his most familiar confidant, Bentinck, to prepare the way, and when the campaign ended with his failure to take Charleroi, he came in person to England. The king's authority was employed to overcome the objections of the Duke of York, and the negotiations were hurried on with unusual speed. The prince ar-

[1] Dalrymple, ii., App., pp. 111-14; Mignet, *Négociations*, iv., 477-501.

[2] Temple, *Works*, ii., 455-56.

rived at Newmarket on October 9. On the 22nd the betrothal was announced to the privy council, and the Duke of York, in expressing his consent, added the hope that "people would no more say he designed the altering the government in Church or State; for whatever his opinion in religion might be, all that he desired was that men might not be molested merely for conscience' sake".[1] On November 4, the marriage ceremony was quietly performed by Bishop Compton. By the end of the month William had carried his bride to Holland.

While the marriage was being settled, William discussed with his uncles and with Danby the terms of a general peace. Two opposite motives were at work in the discussions. William and Danby desired to formulate extreme conditions to which Louis could not assent, in order that England might be forced to join in the war, and that France might be finally deprived of its dangerous ascendency in Europe. Charles and James, on the other hand, wished to agree upon terms which Louis could accept without humiliation and without any rupture of his friendship for the English dynasty. The result was a compromise. France was to restore Lorraine, but was to keep Franche Comté and all conquests in the Netherlands except Maestricht, which was to be restored to Holland, and seven "barrier" towns, which were to return to Spain. Charles, with less than his usual insight, seems to have genuinely believed that Louis would be willing to end the war on these conditions. The task of recommending them was entrusted to Louis Duras, a Frenchman by birth, who had been naturalised in England and had recently succeeded his father-in-law as Earl of Feversham. But William and Danby had formed the more correct forecast. Louis was the haughtiest of European rulers, and he was the last man to admit dictation from a prince who had for so many years lived upon his charity. Feversham brought back a polite but emphatic refusal. Even Charles could not remain quiescent under such a rebuff. Egged on by Danby, he concluded a formal treaty with the Dutch on December 30, by which the two states agreed to force the acceptance of the terms of peace upon France and Spain. In order to give due emphasis to the alliance, Charles ordered thirty ships to be equipped for action, recalled all English

[1] Clarke, *Life of James II.*, i., 510; *Hatton Corr.*, i., 151, 153.

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soldiers from the service of France, and prepared to send 12,000 troops to the assistance of the allies. At the same time he summoned parliament, which in accordance with the agreement with France stood adjourned till April, to meet on January 28, 1678. The Duke of York, flattered with the prospect of commanding the English forces, was or professed to be an eager advocate of war.[1]

The summons of parliament seems to have given more alarm to Louis than any other of Charles' warlike measures. He offered through Barillon, who had recently succeeded Courtin, to pay another £200,000 for a prorogation or further adjournment, and expressed his willingness to cede three of the proposed barrier towns. But Danby, who was now committed to the side of William of Orange, induced the king to refuse these insidious proposals. Louis was thus confronted with the very danger which he had striven so hard and so long to avert. England seemed pledged to the cause of the coalition and to be on the verge of war with France. Charles had concluded the very alliance which the commons had so urgently demanded, and they could hardly refuse supplies for carrying out a policy which they had themselves recommended. The establishment of harmony between crown and parliament would deprive the French king of the basis upon which he had hitherto built his ascendency in English affairs. Even religious differences, which he had artfully endeavoured to foster, were for the moment diminished by the protestant marriage of the king's niece.

Louis met these difficulties with a courage and a subtlety which go far to confirm his claim to be regarded as a great ruler. His supreme aim was to break up the coalition and to conclude a peace which should justify to his subjects the expensive efforts of the war, and should fulfil the expectations built upon the brilliant triumphs of France. And in the end, thanks to the divisions among his opponents, he was successful. The two men whom he had most cause to dread were William of Orange and Danby. Against William he set to work to revive the republican party, whose jealousy of the prince had

[1] Campana de Cavelli, i., 208, 210, 213. Henry Savile wrote from Paris on June 5, 1679, that James was still under Louis XIV.'s displeasure for "the zeal he showed last year to enter into the war," *Savile Correspondence*, p. 92.

been strengthened by the recent marriage which brought him nearer to the English throne. So successful were French intrigues among the Dutch burghers that the States General were ultimately induced, in complete defiance of William's wishes, to desert their continental allies by concluding a separate peace with France. Against Danby Louis appealed to the faithlessness of the English king and to the factious character of a considerable section of the parliamentary opposition. Charles never had any real intention of going to war with France. All that he wanted was to hoodwink parliament in order to gain money and power for himself. And many of the opposition leaders, who had clamoured for war in the previous session, had done so for ulterior objects. Their real aims were to bring the monarchy into dependence, to overthrow Danby, and to force a dissolution of parliament. Some of them were genuinely afraid that a war might enable the king to endanger English liberties by the creation of a standing army. CHAP. VII.

Parliament met on January 28, 1678, and continued in session, with brief intervals of adjournment, until July 15.[1] A whole chapter would be needed to trace in detail the story of the intrigues and counter-intrigues in England alone during these months. And they are only slightly more complicated than those which were simultaneously carried on in the Hague and Amsterdam, in Madrid and Vienna, and in the congress of diplomatists at Nimeguen. The question at issue was whether peace should be made, and whether its terms should or should not be dictated by Louis. If the coalition had been firmly knit together and if England had joined it, William and Danby would have had their way, and Louis must have chosen between moderating his demands and the prolongation of the war. But the French king was determined to keep England apart from the allies, and to force peace upon Spain and the Emperor by concluding a separate treaty with the Dutch. The success or failure of his schemes depended in no small measure upon the action of the English parliament.

The normal policy of Louis XIV. had been to support the king against the parliamentary opposition, but if the king

[1] There are valuable accounts of the session, beyond the official records, in Reresby, pp. 125-44, and in Marvell's *Correspondence* (*Works*, ii., 570-642).

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turned against him, he had no hesitation in reversing his policy and making an alliance with the opposition. The task was entrusted to Barillon; and the younger Ruvigny, whose intercourse with the English was easier on account of his protestantism and his relationship with several English families, was sent over to help him. Of the opposition leaders Shaftesbury was still in the Tower, because he had outraged the dignity of the lords by appealing to the court of king's bench, whereas the other imprisoned peers had made their submission and had been released. It was not till parliament had been sitting for a month that Shaftesbury apologised for his conduct and was set at liberty. Meanwhile Ruvigny had approached Buckingham, who was almost as well known in Paris as in London, Lord Holles, the veteran leader of the presbyterians, and William Lord Russell, the son of the Duke of Bedford, and one of the most respected and honourable of English politicians. With these men a general understanding was come to, based upon their momentary community of interest with France.[1] Charles was not to be allowed to have a lavish supply of money or a standing army, because they might be employed against English liberties. Louis, on his side, was to use his influence to overthrow Danby and to bring about a dissolution of the present parliament. The alliance was cemented by a free use of the funds brought over by Ruvigny for the purpose of corruption. There is no evidence that either Russell or Holles or Shaftesbury, who joined them after his release, accepted bribes, but it is certain that Buckingham, Algernon Sidney, and others had no such scruples. Doubtless the standard of morality in such matters was not high in the seventeenth century, and ingenious casuists have often drawn a distinction between bribes to act in opposition to one's convictions and money received for doing what would have equally been done without that inducement. But no argument can justify English party leaders for consenting to stain their hands with the money of a foreign prince.[2]

In stating this agreement between the French agents and the opponents of the court, it is necessary to make certain

[1] Dalrymple, ii., App., pp. 131-39; see also Russell, *Life of Lord William Russell*, ch. vi.

[2] For details as to French bribes, see Dalrymple, ii., App., pp. 314-19.

reservations. The bargain was carefully kept secret, and would have been useless if it had been divulged. Public opinion was vehemently in favour of war with France, and the opposition would have lost popular favour and incurred the charge of gross inconsistency if they had not continued to profess hostility to French aggression. Many prominent members of the party were never admitted to the secret at all. There is no mention of Halifax and William Coventry, whose antagonism to France was stronger than any desire for personal or party gains. And the French envoys, on their side, while carrying on their intrigues with the future whigs, by no means abandoned the hope of recovering their hold upon Charles. In fact Barillon was in almost daily communication with the king in the rooms of the Duchess of Portsmouth. To the opposition this intercourse was easily justified, because they relied upon French influence to procure a dissolution and Danby's dismissal. But the French were playing a double game. If Charles, irritated or dismayed by his failure to conciliate parliament, should be willing to return to his former dependent position, the French king was quite ready to resume the *rôle* of paymaster. CHAP. VII.

These considerations explain the under-current of suspicion and hostility which is to be traced in the votes and addresses of the house of commons, even when their objects seemed to be identical with those of the king. Charles opened the session by declaring that, in accordance with the wishes of parliament, he had concluded an alliance with the United Provinces for the defence of Flanders, and demanded liberal supplies for the necessary army and fleet. The commons, in their reply, while thanking the king for his announcement, begged him to insist upon the reduction of French territories to the limits of the treaty of the Pyrenees, and to make the prohibition of trade with France a fundamental condition of his alliances with foreign powers. When such confederations were formed, they would be willing to give him all needful supplies for war. This answer was peculiarly fitted to exasperate Charles. It implied the right of parliament to guide foreign relations, to dictate the very terms of treaties, and to make their grants conditional upon the fulfilment of their wishes. The demand as to the treaty of the Pyrenees was

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especially preposterous. Nothing but a long and triumphant war would enable a coalition even to suggest such terms to Louis XIV. As if to convince the commons of their folly, Louis was at this moment leading his army into Flanders where, in rapid succession, he captured the important towns of Ghent and Ypres. In view of these successes, and also of the growing desire for peace among the Dutch, the terms agreed upon by Charles and William were out of date. It was practically certain that Louis must be allowed to keep Franche Comté and most of his conquests in the Netherlands. What was doubtful was whether he would surrender any of the latter in order to bring the war to a close, and on what condition he would settle the quarrel with Holland with which the war had begun. This last point was determined by a well-timed announcement on Louis' part that he was willing to surrender Maestricht and to renew the commercial treaty of 1662. From that moment, to the disgust of William, the majority in the States General resolved to bring the war to an end.

Meanwhile Charles and his commons continued to be at cross purposes. Chided by the king for encroaching upon the prerogative, and exposed to public blame for obstructing the war, the opposition did not venture to adhere to the letter of their first address. By a majority of over forty the king was authorised to raise 30,000 men and to equip ninety ships. The sum of a million pounds was promised to meet the extraordinary expenditure, and some of the soldiers were actually carried to Ostend. But some weeks elapsed before any steps were taken to provide the promised money, and in the meantime troops and crews were unpaid. When at last a bill was actually carried for the levying of a poll-tax and other taxes, clauses were appended to enforce the strict appropriation of the money to military and naval purposes. Charles was annoyed by these evident tokens of mistrust. At the same time French successes had lowered the demands of the continental powers, and he saw a prospect of peace without having to break with France. In the hope of resuming his old relations with Louis and of ceasing to be dependent upon parliament, he ordered Danby, on March 25, to write a letter to Montagu, the English envoy in Paris. Montagu was authorised to offer

the assistance of England in bringing Spain and Holland to make peace, and was to demand in return six million *livres* a year for three years. Danby only consented under protest, and to remove his scruples Charles added a postscript in his own hand: "This letter is writ by my order. C. R."[1] Louis, who was now confident of having his own way, was under no temptation to pay so large a bribe, and the negotiation came to no result.

Repulsed by Louis, Charles returned in April to the scheme of a quadruple alliance against France. The envoys of Spain and the Emperor were willing to come to an agreement, but the Dutch representative declared that he had no powers to conclude an offensive alliance. Meanwhile the commons became impatient. Not only did they urge active measures against France, but they proceeded to denounce the ministers to whose evil advice they attributed the king's procrastination. Lauderdale was specially singled out for attack, and an address was carried for his removal from the king's councils and presence. Charles, extremely indignant, adjourned parliament from the 13th to the 23rd of May, and resumed his intrigues with France. Louis was now willing to pay for complete security on the side of England, and on May 17, a secret treaty was signed by Charles and Barillon.[2] If the Dutch failed within two months to accept the terms which Louis had offered in April, all English troops were to be withdrawn from the continent except 3,000 men who were to be left in Ostend. By a separate article, drawn up by Barillon, the French king undertook to pay six million *livres* in four instalments, on condition that parliament was prorogued for four months, and that all the recently raised English forces should be disbanded except those in Ostend and another 3,000 men who were to be sent to Scotland. No English minister ventured to put his name to the treaty, and James, Danby, and Lauderdale were again the king's only confidants.

When parliament re-assembled on May 23, the king announced that peace was practically assured, and if the terms

[1] For a draft of this letter with the appended note, "I aprove of this letter. C. R.," see *Eliot Hodgkin MSS.*, pp. 194-96. On this the editor bases the charge that Danby substituted without authority the stronger words at the foot of the letter actually sent.

[2] Dalrymple, ii., App., pp. 159-65; Mignet, *Négociations*, iv., 578.

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should prove less satisfactory than could be wished, he laid the blame upon the dilatoriness and distrust of the commons, and the sluggishness of continental powers. If the whole course of recent diplomacy had been known, the opposition could have made an effective retort. As it was, their chief anxiety was to get rid of the military forces which had already caused them serious alarm. A sum of £200,000 was quickly voted to enable the king to pay and disband all troops raised since September 29, 1677. But at the last minute an unforeseen difficulty arose, and war seemed once more imminent. Louis refused to evacuate any of his conquests until his Swedish allies had recovered all the territories which had been lost in the war with Brandenburg. This was resented by the confederates as a proof of insolence or insincerity. William of Orange eagerly welcomed the pretext for breaking off a treaty of which he thoroughly disapproved. Charles made light of the matter in private, but his brother and Danby, who were more bellicose, persuaded him to take advantage of the pretext for retaining his troops and demanding more money.[1] The opposition were silenced. The disbandment of the forces was postponed, and the parliament voted an additional duty upon wines for three years. Regardless of the loss of the promised six million *livres*,[2] Charles broke the secret treaty by sending reinforcements to the English troops in Flanders. But he was careful to prorogue parliament on July 15, before it had time to repent of its compliance. For, after all, nothing came of the scare. Louis withdrew his demand, and the Dutch agreed to a separate treaty at Nimeguen on July 31. Four days later, William made a bloody but ineffectual protest against the policy of peace by fighting an obstinate battle against Luxemburg before Mons. He failed to prevent the ratification of the treaty, and the other powers were forced, one after the other, to follow the example of Holland and accept the terms offered by France.

[1] See letters from James to William in Dalrymple, ii., App., pp. 181-88; but compare Reresby, p. 143.

[2] Charles subsequently tried to maintain that the treaty of May 17 was still in force, but Louis declared that it had never been carried out and was therefore null. Campana de Cavelli, i., 220.

CHAPTER VIII.

THE POPISH PLOT AND THE EXCLUSION BILL.

THE author of the popish plot, Titus Oates, is doomed to an immortality of infamy. He was repulsive both in character and appearance, but he was endowed with considerable acuteness, with unfailing readiness of apprehension, and with brazen effrontery. At first an English clergyman, he had been converted, or had feigned conversion, to Roman catholicism in 1677, and within the next fifteen months he had spent some time in Jesuit seminaries, first at Valladolid and later at St. Omer. At both he had become familiar with the current hopes and anticipations of the members of the order, and at St. Omer he had learned the names and something of the character and position of the leading English catholics, both clerical and lay. Oates' chief accomplice, and to some extent perhaps his dupe, was Dr. Israel Tonge, a clerical busybody, who had the Jesuits on his brain. Between them they put together the first story of a Roman catholic plot, which was conveyed to the king by Tonge. The main assertion was that the Jesuits had plotted to put the king to death. Charles remitted the investigation to Danby and went to Windsor. Danby could find nothing to corroborate the assertions, and he was forbidden by the king to mention the matter either to the Duke of York or to the council. The informers, who dreaded nothing more than neglect, determined to compel attention by warning Danby that treasonable letters from Jesuit priests to Father Bedingfield, the duke's confessor, might be intercepted at Windsor. Bedingfield actually received the letters and took them to James, who laid them before the king and Danby. They were clumsy forgeries, and were never even produced as evidence against the men who were accused of writing them.

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This second move brought the Duke of York into the secret. He was naturally afraid of being accused of suppressing the charges against members of his Church, and urged inquiry by the council. Danby did the same, partly because he would bear the whole responsibility if anything happened to the king, and partly because he was not unwilling to strike a blow at the Roman catholics who favoured a French alliance. After an interval of four weeks, Oates and Tonge, who had employed the time in amplifying their narrative, were summoned to appear before the privy council on September 28. Before going, Oates entrusted a copy of his deposition to an active and independent London magistrate, Sir Edmund Berry Godfrey, who had earned a knighthood by courageous service during the plague. For three consecutive days the arch-informer underwent a searching cross-examination. The king, who was present on the second day, detected some gross errors in matters of fact which convinced him that the whole story was a fabrication. But the general coherence of the statements and the dogged persistency of Oates in maintaining their truth made so much impression, that the council determined to test his honesty by ordering that the accused persons should be arrested and their papers seized.

The result was to strengthen Oates' credit. He had asserted that the Jesuits had held a meeting on April 24, at the White Horse tavern in the Strand, that he had been present, and that they had there discussed various plans for taking the king's life. Among the papers of one of the Jesuits was found the summons to a meeting on that very date.[1] This illustrates the way in which Oates mixed up truth with falsehood. He himself was almost certainly at St. Omer on April 24. But the Jesuits did hold a meeting on that day, the regular triennial "consult" of the order, not at the Strand tavern, but—a fact which many would have given a good deal to discover—in St. James's Palace, the residence of the Duke of York.[2] A still more valuable find was made in the papers of Father Edward Coleman, the private secretary of the Duchess of York, who was arrested on September 30. He had received warning that he was to be accused both from the

[1] Burnet, ii., 169.

[2] Reresby, p. 325. The minutes of the meeting are translated in *The Month* for Sept., 1903 (vol. cii., pp. 311-16); see *Engl. Hist. Rev.*, xix. (1904), 790.

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Duke of York and also from Godfrey, who was a personal friend.[1] He had thus time to destroy any dangerous documents, and nothing was found of a later date than 1676. But among the earlier letters were some addressed to Père La Chaise, the confessor of Louis XIV., who had been mentioned by Oates, and to the papal nuncio in Brussels. These contained numerous allusions to schemes for the restoration of catholicism, and it was taken for granted that his later correspondence, which presumably had been destroyed, would have been found to be still more incriminating.

Early in October rumours of the plot began to spread among the general public. Oates and Tonge were both boastful and loquacious, and foreign ambassadors began to make inquiries about statements which implicated their courts. But so far there was nothing to cause any great excitement or alarm. Suddenly a dramatic event occurred. Sir Edmund Berry Godfrey disappeared on Saturday, October 12. For five days London was in feverish excitement as to his fate. On the following Thursday he was found dead in a dry ditch at the foot of Primrose Hill, with a sword thrust right through the body, and with marks of strangulation on the neck. The medical evidence negatived the theory of suicide. Robbery was out of the question, for all his valuables were untouched. The populace hastened to the congenial conclusion that the murder was the work of the Jesuits, inspired by a desire to suppress the evidence which Oates had placed in Godfrey's hands. The funeral was made the occasion of a great protestant demonstration. The Roman catholics, on their side, were not slow to point out the inadequacy and absurdity of the motive assigned, and to urge that if interest gave any clue, the informers, who profited by the deed, must be the guilty parties. To this contention, which still finds adherents, it is an almost fatal objection that Oates and his associates had as yet no organisation by which such a deed could be performed, and that in the fierce scrutiny which followed they and their agents could hardly have escaped detection. The death of Godfrey, in spite of the ingenuity which has been brought to bear upon it, is still an unsolved and probably an insoluble mystery.

[1] Clarke, *Life of James II.*, i., 534; Burnet, ii., 163; Pollock, *The Popish plot* (London, 1903), p. 151.

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Godfrey's death was followed by an unreasoning panic, which reflects little credit upon the national character. Special daggers and other weapons were designed to protect honest protestants against popish assassins. Ladies carried miniature pistols in their muffs during the day, and placed them under their pillows at night. While the excitement was at its height, the parliament met for its seventeenth and last session on October 21. The political questions were much the same as they had been in July. Holland and Spain had made peace with France, but the Emperor had not yet accepted any treaty. The English forces had not been disbanded, and most of them were still on foreign soil. These were the chief topics of the king's speech, which contained only a passing reference to the plot as a matter requiring investigation by the courts of law. The opposition leaders were as eager as ever to effect their chief aims, the overthrow of Danby, the dismissal of the army, and the dissolution of the parliament. Their alliance with the French ambassador was still maintained, and they obtained a valuable recruit in the Duke of Monmouth. Monmouth had hitherto held aloof from politics, but he now came forward as the avowed opponent of Danby and as a rival of his uncle for the dominant influence at court. But current political questions were for a time obscured by the overwhelming interest in the popish plot, which now passed from the judicial arena to that of party politics. A professional inquiry, such as that conducted by a modern French judge, might at this stage have distinguished between truth and falsehood. But all pretence of judicial method and impartiality was discarded; witnesses were examined, now by the council, now at the bar of either house, and again before innumerable committees of both houses. In these confused and often conflicting examinations contradictory statements and even flagrant falsehoods passed unnoticed. A promise of reward and pardon for the discovery of Godfrey's murderers produced Bedloe, the desired second witness, a man whose past record was almost worse than that of Oates. The informers became popular heroes, and it was dangerous to question their veracity. Coleman, convicted on the evidence of Oates and Bedloe and also of his own papers, was put to death on December 3.

As Halifax had foreseen from the first,[1] the plot destroyed the balance of parties and gave complete ascendency to the opponents of the court.[2] The topics suggested by the king's speech were neglected, while the two houses set themselves to devise measures for the defence of protestantism. On the demand of parliament all papists were banished from London and Westminster, a rigorous search was instituted for concealed arms, the cellars beneath the houses were carefully examined and guarded against the appearance of a new Guy Fawkes. Five catholic peers, Powys, Stafford, Arundell of Wardour, Petre, and Belasyse, whom Oates had named as the intended holders of high office in the government to be established by the plot, were committed to the Tower and subsequently impeached. The commons introduced a bill to exclude Roman catholics from parliament by exacting, in addition to the oaths of allegiance and supremacy, a carefully framed declaration that there is no transubstantiation in the sacrament of the Lord's Supper, "and that the invocation or adoration of the Virgin Mary or any other saint and the sacrifice of the mass as they are now used in the Church of Rome are superstitious and idolatrous".[3] In the lords the proposed test, which struck at the privileges of hereditary peerage, was received with some coolness, but the persistent remonstrances of the lower house ultimately secured its acceptance with the addition of a clause, inserted at the last moment, exempting the Duke of York. This amendment excited great fury in the commons, but after a stormy debate it was agreed to by the narrow majority of two votes. The king gave his assent, and on December 1, 1678, the Roman catholic peers quitted the house of lords, to which they did not gain readmission till the act was repealed in 1829.

It might have been thought that the "damnable and hellish plot," in which both houses professed their belief by a joint resolution, had by this time been completely defeated. But the opposition leaders had their eye on the future as well

[1] Burnet, ii., 156.

[2] For a whig appreciation of the change thus effected, see Narcissus Luttrell, *Brief Relation*, i., 3.

[3] This declaration received increased importance in 1689, when it was exacted by the Bill of Rights from all future sovereigns. Evelyn (Nov. 15, 1679) says that several good protestants had scruples about the test.

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as on the present. Oates, in his first depositions, had made no charge against the Duke of York: on the contrary he had been named as a possible object of assassination. But the discovery of Coleman's letters and the prominence which they gave to the duke as the object of Roman catholic hopes, had aroused serious suspicions. That James' accession would be dangerous to the protestant religion had been urged several times since 1673, and Shaftesbury and his colleagues knew well that it would be fatal to their own prospects of political ascendency. It was hardly to be expected that they would fail to make use of such a weapon as the plot placed in their hands. On November 2 Shaftesbury moved in the lords that the king should be requested to dismiss the Duke of York from his council. He was supported by Essex and Halifax. Two days later Lord Russell proposed a similar resolution in the lower house. In the debate which followed William Sacheverell laid ominous emphasis upon the power of parliament to regulate the succession. Charles at once scented the danger involved in these proposals, and discussed with Danby the best way to meet it. The king persuaded his brother to absent himself from the privy council. On the 8th Danby informed Reresby, an adherent of the court, that the king was willing "to pare the nails of a popish successor".[1] On the following day Charles appeared in parliament and announced to the two houses that he would heartily concur in any reasonable measures for the security of the protestant religion, "so as they do not tend to impeach the right of succession, nor the descent of the crown in the true line, and so as they restrain not my power nor the just rights of any protestant successor". For the moment this satisfied the rank and file of the opposition, and the excitable Londoners welcomed the king's assurance by kindling bonfires. James never pardoned Danby for his readiness to restrict the prerogative of a Roman catholic king.

The first great move of the extreme opposition had been foiled by the adroitness of the king and minister. But Shaftesbury and his colleagues had another string to their bow. The queen was childless, but the king was very much the reverse. That Charles should obtain a separation from

[1] Reresby, p. 149.

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Catharine, that he should marry a protestant wife, and that he should become the father of a legitimate heir, had long been desired by all who dreaded the accession of an avowed papist. The plot could hardly be better employed than in removing any hesitation on the king's part. There were some obvious difficulties. Oates had accused Sir George Wakeman, the queen's physician, of receiving bribes from the Jesuits to poison the king. But he had not ventured to make any reflection on the queen herself, and he had expressly declared that he had no further charges to make against persons of high rank. Consistency, however, had long ceased to be required from the pampered informer. On November 28 Oates appeared at the bar of the house of commons and accused the queen of high treason. The gist of the charge was that Catharine, indignant at the continued insults to her bed, had consented to the scheme for poisoning her husband. Bedloe came forward with a similar story. The credulous commons voted an address to the king, demanding the removal of the queen and her household from Whitehall. But the lords refused to concur, and the preposterous accusation was abandoned. Charles did not conceal his indignation at this unprovoked attack upon an innocent and much-injured woman.

The opposition, after their early victories, had met with a succession of serious checks. The accusation of the queen had served only to shake the credit of the informers. The Duke of York had been allowed to retain his seat in the house of lords, and his abstention from the council was purely voluntary. The reception of the king on November 9 proved that in the house of commons opinion was not yet ripe for any project of exclusion. Charles had shown unexpected resolution in defence of his wife and his brother. Above all Danby, whose downfall had been confidently anticipated, was as high as ever in the king's favour, and might at any moment recover his parliamentary ascendency by granting securities to the Church against a popish king and by throwing the country into resolute antagonism to France.

At this point the opposition leaders found an invaluable ally in the French king. Louis had never pardoned Danby for bringing about the marriage of Mary to William of Orange, and he determined to effect his ruin by disclosing his share in

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the king's secret negotiations with France. He employed as his instrument Montagu, who had recently returned from the French embassy and obtained a seat in parliament. Montagu had a personal grudge against Danby, and the latter, warned of his hostile intentions, obtained an order for the seizure of his papers. But the most important documents had been secreted, and Montagu, forced by this hostile move to defend himself, produced to the house of commons the letter of March 25, 1678, in which Danby had demanded from Louis six million *livres* for three years.[1] This conclusive evidence of the disgraceful bargaining with France, which had long been suspected, was enough to exasperate the parliament. The defence, patent from the letter itself, that the minister had acted by express royal command, was rightly disregarded as conflicting with the whole theory of ministerial responsibility. The commons turned from their attacks on the papists to impeach the treasurer. To their disgust the lords refused to commit him to custody. The further prosecution of the trial was for the moment prevented by the king, who intervened to save Danby by proroguing parliament on December 30.

The prorogation saved Danby for the moment, but it cost the king the supplies for which a bill had already passed the commons. His ordinary revenue was insufficient to pay his troops as well as his civil expenses, and Charles hastened to demand aid from France. If the Emperor had wished to continue the war, Louis might have been willing to pay for the disbandment of the English army and for the prolonged prorogation of parliament. But Leopold was on the verge of making peace, and Barillon would not open his purse-strings as long as Danby was in office. It thus became absolutely necessary to appeal to parliament. The present house of commons had not been absolutely disloyal to the crown, but it had shown resolute hostility to the minister. Danby put his own interests before those of his master, and urged a dissolution. Charles gave way, and on January 24, 1679, issued a proclamation dissolving the present parliament and summoning a new one to meet on March 6. James, who had advocated a dissolution as long ago as 1676, was fatuous enough to believe that the new parliament would be an improvement

[1] See above, p. 149.

on its predecessor,[1] and supported the treasurer. It was the last occasion on which the two men acted cordially together

The excitement about the popish plot was kept alive by fresh disclosures, and three men were being tried and condemned for the murder of Godfrey,[2] while the English people were absorbed in the first general election which had taken place for eighteen years. The result was a complete triumph for the opposition. The court could no longer reckon upon the catholic votes in the house of lords, and barely thirty avowed supporters of the crown were elected to the commons. In these circumstances it became absolutely necessary to adopt a policy of conciliation, and to bring new men into office. Two diplomatists, who had not yet engaged in the strife of parties, were summoned home. Robert Spencer, Earl of Sunderland, who was to prove the most unprincipled of politicians in an unprincipled age, was recalled from the embassy at Paris to take the place of Williamson as secretary of state. Sir William Temple, the friend of William of Orange, as he had previously been the friend of de Witt, returned in February from Nimeguen, and it was understood that Henry Coventry was willing to resign the other secretaryship in his favour.[3] Temple was still popular as the negotiator of the Triple Alliance and as the steadfast opponent of France. Sunderland was the nephew of Algernon Sidney and of Lady Shaftesbury, and the brother-in-law of Halifax. Danby also urged that the Duke of York should be sent abroad, and that the opposition should be divided by gaining over its more moderate members. Men like Essex and Halifax might be satisfied with restrictions upon the power of a Roman catholic king, and might thus be induced to part company with the irreconcilable opponents of the Duke of York. Shaftesbury, closely allied with Monmouth, was beginning to believe that the assertion of Monmouth's legitimacy would provide the most satisfactory solution of all difficulties. The germs were already sown of a division in the ranks of

[1] *Hatton Corr.*, i., 129; *Savile Foljambe MSS.*, 127; Campana de Cavelli, i., 207.

[2] Primrose Hill, at the foot of which Godfrey's body was found, was at one time known as Greenberry Hill. By an extraordinary coincidence the three men executed for his supposed murder were Green, Berry and Hill: see Luttrell, i., 8.

[3] See *Lindsey MSS.* in Hist. MSS. Comm. Rep., xiv., App. ix., p. 397.

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the opposition which was destined to bring about their ultimate downfall.

Charles accepted Danby's suggestion that he should banish his brother, who again refused to be reconciled to the Anglican Church.[1] Two days after his departure the second parliament of the reign met at Westminster on March 6, 1679. James had at least the satisfaction of finding that his absence brought no gain to Danby. From Brussels he watched with malignant glee the overthrow of the minister whom he had come to regard as a personal enemy.[2] The opening speeches by the king and the chancellor had dwelt upon the desirability of a protestant foreign policy. But the commons refused to be diverted from the two absorbing subjects, the popish plot and the punishment of Danby. Charles had granted the treasurer a general pardon in the most comprehensive terms. The commons denounced this interference with their right of impeachment as irregular and illegal. The king at last dismissed Danby from office, and entrusted the treasury to a commission, with Essex at its head, and including two young men, Laurence Hyde and Sidney Godolphin, who were destined to rise to political eminence. Even this failed to appease the commons, who insisted that the house of lords should issue a warrant for Danby's arrest. The fallen minister was compelled by a threat of attainder to surrender, and on April 16 was committed to the Tower, where he remained for the next five years.

Charles gained little by the sacrifice of his minister. In five weeks parliament had passed only one measure, a grant of supplies for paying off and disbanding the troops raised since September, 1677. It was certain that the commons, in their present temper, would speedily take up the question of the succession. The king had now no intimate adviser except the Duchess of Portsmouth, who had good reason to fear that she in her turn might be an object of attack. Her advice to Charles was to come to terms with the opposition. The new councillors, Sunderland and Temple, were of the same opinion.

[1] Clarke, *Life of James II.*, i., 537-41; Barillon, March 6, 1678, in Dalrymple, ii., App., p. 213.

[2] See the subsequent correspondence between them in Campana de Cavelli, i., 271, 277, 279. It is obvious that each was ready to save himself by sacrificing the other, *Life of James*, i., 544-46.

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The king determined to complete the ministerial changes which he had already begun. On April 21 he dismissed the whole of his privy council, "which was all made up of Lord Danby's creatures,"[1] and announced his intention to have no more single ministers or secret committees. A new council was to be formed, of more moderate dimensions, and the king pledged himself to govern by its advice. This council was to be composed of fifteen officers of the state and household, together with fifteen non-official members. In addition, the king might nominate a president, and summon at any time princes of the blood royal and the secretary for Scotland.

The actual composition of the new council was more important than the rules on which it was framed, or than the high-sounding professions with which the king announced its creation. On the one hand there were proved loyalists such as Ormonde, Lauderdale, Arlington, Lord Chancellor Finch, Sir Francis North, and great churchmen like Archbishop Sancroft, who had succeeded Sheldon in 1677, and Compton, Bishop of London. On the other hand, the president was Shaftesbury, and among the members, besides Essex and his brother Henry Capel, were Monmouth, Halifax, Lord Russell, Lord Cavendish, and Henry Powle, a pensioner of Barillon and a foremost opponent of the court in the lower house. Between the two apparently irreconcilable sections were men who, from their temperament or from their official position, might be reckoned neutral. Such were Temple and the two secretaries, Sunderland and Henry Coventry. But if it came to a vote, the members who were associated with the opposition in recent years had a secure majority.[2]

The formation of the new council was both a constitutional experiment and what we should now call a change of ministry. As a constitutional experiment, it was from the first a hopeless failure, and it deserved no better fate. Temple, who was chiefly responsible for the scheme,[3] genuinely desired to bring

[1] Burnet, ii., 209.

[2] Danby, writing from the Tower to the king, thought a complete surrender had been made to his opponents: Campana de Cavelli, i., 265. James took the same view: *Foljambe MSS.*, p. 129. Compare Reresby, p. 167.

[3] Temple claims to have originated the scheme, which is generally known by his name. Some writers, pointing out that well-informed contemporaries do not refer to Temple, have disputed the accuracy of his statement. But

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about a reconciliation between king and parliament, as the only means of enabling England to recover its influence in the affairs of Europe. To achieve his object, he desired to interpose the reconstituted council between the two hostile forces, and to make it representative of both. The king was to have his fifteen ministers, but they were to be restrained and kept in order by fifteen leading members of parliament. The council was, in fact, to perform at one time two distinct functions: it was to carry on the government and also to control the government. This was impossible. The best contemporary criticism was that of Barillon, who declared that it was not a council but an assembly of estates.[1]

As a change of royal advisers, the council was equally unsuccessful, partly because it was incomplete, and partly because it was insincere. To Thomas Bruce, afterwards Earl of Ailesbury, the king privately declared: "God's fish, they have put a set of men about me, but they shall know nothing".[2] And Charles' want of confidence was repaid in kind by his opponents. The commons received the announcement of the new council without the slightest sign of approbation. Shaftesbury and Russell neither felt nor expressed any gratitude for their inclusion. They knew that the king nominated them to serve his own ends, and that he would dismiss them as soon as those ends had been attained.

In spite of the restriction of numbers, the council was still too large and too mixed for matters requiring secrecy. The promise to dispense with small inner committees was ignored. Not only was a committee for foreign affairs definitely formed, but private conferences for the preliminary consideration of council business were held in each other's houses by Temple, Sunderland, and Essex. To these Halifax was subsequently admitted.[3] The chief subject of discussion was the measures necessary to reassure the alarmed protestantism of parliament

their scepticism is beside the mark. The constitutional side of the scheme and the wording of Charles' pompous declaration are due to Temple, and are marked by his *doctrinaire* habit of mind and by his ignorance of the working of the constitution. On the other hand, the choice of new councillors, which absorbed the attention of contemporaries, was a matter in which the advice of Sunderland and Louise de Kéroualle counted for far more than that of Temple.

[1] Temple, *Works*, i., 335.

[2] Ailesbury, *Memoirs*, i., 36.

[3] Temple, *Works*, i., 336.

and people. The majority in the council favoured a scheme of limitations which should give security to the established Church. This scheme was propounded to parliament on April 30. If a Roman catholic king should succeed, all ecclesiastical patronage was to be taken from him and vested in trustees: the appointment and removal of judges, privy councillors, lords-lieutenant, and naval officers, were to be controlled by parliament; if no parliament was in existence at the time of the accession, the last parliament was to re-assemble without a new election. CHAP. VIII.

The limitations were thorough-going enough to provoke a growl of discontent from the successor who was to submit to them and who, in his own words, would be "less than a duke of Venice". But in the house of commons the opinion prevailed, which Shaftesbury had already expressed in the council, that a king could no more be bound by such resolutions than Samson by withes. A committee had for days been searching in Coleman's letters and elsewhere for evidence of the Duke of York's connexion with the plot. On its report the house resolved to draw up a bill for the duke's exclusion from the throne. The preamble of the bill, which was read for a first time on May 15, recited that "agents of the pope had seduced James Duke of York to the communion of the Church of Rome, and prevailed on him to enter into negotiations with the pope and his nuncios, and to advance the power and greatness of the French king, to the end that by the descent of the crown upon a papist, and by foreign alliances, they might be able to succeed in their wicked designs". On these grounds James was declared incapable to succeed in England and Ireland, and if Charles should die without issue, the succession was to pass, as if the duke were also dead, to the next heir being a protestant. The bill passed its second reading by a majority of seventy-nine on May 21.

The passing of the exclusion bill, and the persistence of the commons in denying the legality of Danby's pardon, convinced Charles that there was little hope of compromise with the existing parliament. Temple, discredited by the failure of his constitutional experiment and by his habitual indecision, fell more and more into the background, and the king's chief advisers were Sunderland, Halifax, and Essex, who were

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popularly known as the "Triumvirate". At their instigation Charles determined to foil the extreme party by bringing the session to a close. On May 27, without even consulting the council, Charles announced that the parliament was prorogued till August. On the same day he gave his assent to the Habeas Corpus act, which had only passed the lords by a narrow majority.[1] Shaftesbury had been a strenuous supporter of this measure, but its acceptance was no consolation for the sudden end of the session. He declared aloud in the lords "that he would have the heads of those who devised this prorogation".[2] From this time he and Halifax were never reconciled.

In spite of the discouraging commencement, the king had achieved at any rate a partial success during the session. He had asserted his independent authority against a council which claimed to restrict his power. The exclusion bill had been got rid of for the time. Danby had never been brought to trial, the validity of the royal pardon had not been negatived by the house of lords, and the damaging disclosures to which the trial must have led had been avoided. The two sections of the original opposition had quarrelled with each other. Essex and Halifax had definitely pronounced for limitations as against exclusion, and the abrupt prorogation of parliament had completed the estrangement of Shaftesbury and Monmouth from their former allies. The only point upon which there was any co-operation among the members of the divided council was the continued persecution of the papists. During the recess five Jesuits were condemned and put to death for treason. But the "Triumvirate" were alarmed by the growing popularity of Monmouth, who not only enhanced his military reputation by defeating the Scottish covenanters at Bothwell Brig on June 22, but earned golden opinions by his clemency to the vanquished. Fearing that, if parliament met again, they might be attacked for their share in the recent pro-

[1] Burnet (ii., 263) is responsible for the story that the bill would have been rejected if a jocose teller had not counted an obese peer as ten men, and if the teller against the bill, being "subject to vapours," had not accepted the figures. The story is supported by the fact that the numbers recorded in the division exceeded the total number of peers who were present: see *MSS. of House of Lords*, 1678-88, p. 136.

[2] Temple, *Works*, i., 338.

rogation, they urged Charles to defy public opinion by a dissolution. It was agreed that the king should communicate his wishes to those members of the council who were not likely to oppose the crown. But Charles carelessly neglected this precaution, and when on July 3 he brought forward the question of dissolution, the great majority of a very full council joined Shaftesbury in opposing it. The king, however, took the matter into his own hands, and issued a proclamation dissolving the present parliament and summoning another to meet on October 7. "Thereupon the council broke up, with the greatest rage in the world of the Lord Shaftesbury, Lord Russell, and two or three more, and the general dissatisfaction of the whole board."[1] The proclamation was issued on July 12, and four days later Halifax exchanged his viscountcy for an earldom. CHAP. VIII.

Foreign affairs were still intimately mixed up with domestic politics. Louis XIV. was beginning to agitate Europe by a policy of judicial aggression. Courts were created in the various border provinces to interpret dubious clauses of recent treaties in favour of France. The annexations which they decreed were called "*Réunions*". The injured powers were eager to gain the support of England, and Charles and his ministers were well aware that nothing would be more calculated to gain popularity than a policy of resolute antagonism to France. In June Henry Sidney, the handsome and dissolute brother of the more famous Algernon Sidney, was sent on an embassy to the Hague. But the envoy had other business in hand than the maintenance of the balance of power or the guarantee of the Spanish Netherlands. Essex and Halifax were eager to checkmate the designs of Shaftesbury, who was more and more obviously inclined to bring forward Monmouth as a claimant to the succession. They were almost equally opposed to a close alliance with the Duke of York. For a way out of the difficulty they looked to William of Orange. It was proposed to invite William to England, to admit him to the house of lords as Duke of Gloucester, and to make him the leader of the protestant party both in the privy council and in parliament. By this means it was hoped to divert the popular allegiance from Monmouth. The threads

[1] Temple, *Works*, i., 341.

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of this intrigue were in the hands of Henry Sidney, who now formed an intimacy with William destined to have important consequences at a later date.

Meanwhile Charles had embarked upon a counter-intrigue of his own. To Barillon he proposed a renewal of the alliance with France on the old terms. Louis was to contribute to the royal revenue, while Charles was to dispense with a meeting of parliament, and to regulate the foreign policy of England in the interests of France. But Louis distrusted Charles, and he was fairly safe as long as king and parliament were at loggerheads with each other. The usual haggling as to monetary terms went on for weeks without any agreement. Sunderland, with characteristic duplicity, was a party to both schemes. While still acting in the closest intercourse with Halifax and Essex, he maintained intimate relations with the Duchess of Portsmouth and professed his devotion to French interests.[1]

Nothing came of either intrigue. On August 22 Charles became seriously ill at Windsor, and for two days his life was despaired of. The "Triumvirate" were at their wits' end. Nothing had been done to prepare for opposition to Monmouth, who was as popular in Scotland as in England, and who had all the armed forces of both countries under his command. In their agitation they sent warning to Brussels and secretly urged the Duke of York to return.[2] Travelling with all possible speed, James arrived at Windsor on September 2, to find the crisis over and the king on the high road to convalescence. Charles' recovery placed his three advisers in a dilemma, from which they extricated themselves with considerable ingenuity. They persuaded James that his return to exile was imperative in view of the approaching meeting of a hostile parliament. At the same time they were so far committed to his cause that they were bound to purchase his departure upon favourable terms. This enabled them to put pressure upon the king to get rid of Monmouth, who was removed from his position as commander-in-chief and ordered to quit the kingdom. On September 24 he set out for Holland. Three days later the

[1] Dalrymple, ii., App., pp. 233-46.

[2] *Life of James II.*, i., 564; Burnet, ii., 242; Campana de Cavelli, i., 296; *Hatton Corr.*, i., 191; Reresby, p. 177; Temple, *Works*, i., 343; Fountainhall, *Historical Observes*, p. 74.

Duke of York started on his return to Brussels. But Essex and Halifax soon discovered that Sunderland was playing them false. James only went to Brussels to fetch his wife, for he had received permission to take up his residence in Scotland. And he did not even go direct to his new abode, but returned for some weeks to London. As between the two rivals the balance had undergone a surprising change. Monmouth was in exile and deprived of his military power, whereas his uncle's influence was once more preponderant at court

These events broke up the "Triumvirate," and were followed by a complete change of policy on the part of the king. The courageous protestations of innocence on the part of the dying papists had made no small impression upon the public mind. In July, Sir George Wakeman and three Benedictine monks had been acquitted, and the credit of the informers was seriously impaired. Charles was encouraged, not only to break utterly with the extreme party, but to free himself from his embarrassing alliance with the moderates. The elections had gone decisively against the court, and there was little hope that the new house of commons would be more docile than its predecessor. On October 7, the very day on which the parliament was to meet, it was prorogued till January, 1680. On October 15 Shaftesbury was dismissed from the council. Essex and Halifax retained their seats, but Essex resigned his headship of the treasury, which was given to Laurence Hyde, and Halifax retired to his country seat at Rufford in Nottinghamshire. In January, Lords Russell and Cavendish, Henry Capel, and Powle, disgusted that the prorogation was renewed without consulting the council, asked permission to resign their seats.[1] The king curtly replied, "with all my heart". Temple, who had been unusually outspoken in condemning the prorogation,[2] made up his mind to abandon politics for the cultivation of literature and melons at Sheen. The secretaryship, which Henry Coventry at last resigned, and which had been offered to Temple a year before, was given to Sir Leoline Jenkins, a typical Oxford royalist.

It was unfortunate for Charles that just at the time when he decided to act with such unexpected vigour, the waning

[1] Shaftesbury advised them to resign: Christie, i., 357-58.

[2] Temple, *Works*, i., 346; *Hatton Corr.*, i., 212.

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antagonism to the papists was revived by what is known as the "Meal-tub" plot.[1] It began with an obscure intrigue between a notorious scoundrel called Dangerfield or Willoughby and Mrs. Cellier, a Roman catholic midwife. Some papers which were found under Mrs. Cellier's meal-tub professed to prove the existence of a presbyterian conspiracy, encouraged among others by Halifax and Essex, to overthrow the government and to take vengeance upon the papists. Dangerfield, who betrayed his accomplice, declared the whole story to be a fabrication, and hastened to join the small army of protestant informers. He asserted that the sham plot had been concocted by prominent Roman catholics, that Lord Arundell had offered him £2,000 to murder the king, and that he had actually undertaken to assassinate Shaftesbury. His statements excited the more attention because he was known to have been in communication with the Duke of York. The story was a tissue of lies, but it served to re-kindle popular excitement, and to strengthen the hands of the opposition.

The king's abandonment of the policy of compromise to which he had committed himself in April, 1679, led to the most critical period of the reign. Parties were organised in direct hostility to each other, and for more than a year the country seemed to be on the verge of civil war. Monmouth, annoyed at the news of his uncle's return from Brussels, had quitted Holland, where he had been coldly received by William, and arrived in London at the end of November. His return was hailed in the city with bonfires and the ringing of bells.[2] The king, however, refused to see his disobedient son, deprived him of all his remaining offices, and ordered him once more to quit the kingdom. Monmouth, with Shaftesbury's approval, refused to obey, remained for some time in London, and when at last he quitted the capital it was to make a progress through the country with all the state of a Prince of Wales. Rumours of his mother's marriage to Charles, and of the mysterious black box in which the certificate was concealed, were more widely circulated than ever, and were accepted by the credulous populace, ever ready to listen to scandalous reports about royalty. On the other hand, the

[1] See Dangerfield's *Particular Narrative* (London, 1679); Burnet, ii., 245.
[2] *Hatton Corr.*, i., 203; Evelyn, November 28, 1679.

Duke of York was allowed to return from Scotland as soon as the second prorogation of parliament had been published in January, 1680. James, who was believed to have a stronger will than his brother, became at once the leader of all who dreaded the weakening of the monarchy and the possible return to republican government. CHAP. VIII.

The two parties seemed for a time fairly evenly balanced, and this very equality made them unwilling to resort to violence if they could obtain their ends by other means. Both contented themselves with organising impressive demonstrations. On June 3 Charles renewed the formal assurance that he had never married any woman except the queen, and the declaration was registered in chancery. On the other hand Shaftesbury, attended by an imposing array of lords and members of parliament, appeared in the court of king's bench on the 16th, and there presented before the grand jury an indictment of the Duke of York as a popish recusant, and of the Duchess of Portsmouth as a common nuisance. Chief Justice Scroggs got rid of the indictments by dismissing the jury, but the boldness displayed by the accusers made a far more profound impression than the renewed assertion of Monmouth's illegitimacy. Little progress, however, could be made, unless the king could be induced to separate his interests from those of his brother. The weapon upon which Shaftesbury relied was parliament, which could bring either intimidation or bribes to bear upon the king. The "Green Ribbon Club,"[1] which contained the most active agitators on the opposition side, collected signatures to petitions from all parts of the country, to demand an early meeting of parliament. The loyalists, in order to encourage their master, organised counter addresses, expressing abhorrence of any attempt to encroach upon the undoubted royal prerogative of summoning parliament at will. The war of pamphlets, freed since 1679 from the restraints of the licensing act, was as vigorous as the war of petitions. The most notorious of these publications, "An Appeal from the Country to the City," openly commended Monmouth's candidature on the ground that the worse the title to the crown the better the king.

Party nicknames began to be bandied about. "Court"

[1] See North, *Examen*, pp. 572-74.

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and "country" party were too polite, and the latter epithet had ceased to have any apt significance. "Petitioners" and "abhorrers" were more accurate designations, but they were not abusive enough, their appropriateness was only momentary, and they contained too many syllables. On the other hand "whig" and "tory" were easy to pronounce, and they conveyed the desired modicum of hatred and contempt. The "whigs" were the wild covenanters of south-western Scotland, who had murdered an archbishop and risen in rebellion against the crown. Partisans of the monarchy transferred the name to those whom they accused of a desire to introduce presbyterianism and republican principles into England. The name of "tories" was in use for the popish outlaws who found a refuge in the bogs of Ireland and gained their livelihood by highway robbery.[1] The application of the term to the opponents of the exclusion bill implied that they were ready to rob and murder the supporters of protestantism and political liberty.

Meanwhile Sunderland, who had severed Charles from Halifax and Essex, and restored the influence of James, had become without question the most powerful minister of the crown. With him were associated Laurence Hyde, Clarendon's second son, and Sidney Godolphin, "the silentest and modestest man that was perhaps ever bred in a court". Godolphin, descended from an old Cornish family, was a born administrator. Charles declared that he "was never in the way and never out of the way". But his caution equalled his reticence, and he lacked the magnetism of a great political leader. His favourite recreation was gambling, because, as he said himself, "it delivered him from the obligation to talk much".[2] This new triumvirate of comparatively young men received the nickname of "the Chits" from a contemporary lampoon which contrasted them with the earlier ministers of the reign:—

Clarendon had law and sense,
Clifford was fierce and brave;
Bennet's grave look was a pretence,
And Danby's matchless impudence
Helped to support the knave.

[1] See *Essex Papers*, i., 117, 161, 306.

[2] Burnet, ii., 250, and Lord Dartmouth's note on p. 251.

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But Sunderland, Godolphin, Lory,
These will appear such chits in story,
'Twill turn all politics to jests,
To be repeated like John Dory
When fiddlers sing at feasts.

The primary duty of the ministers was to prepare for the parliament whenever the king should decide that its meeting was necessary or desirable. Like the successors of Clarendon, they wished to conciliate public opinion by adopting a popular foreign policy. Early in 1680 both the king and Sunderland made overtures to Holland, Spain, and the Emperor. Neither Charles nor James personally preferred this policy to an alliance with France, but it offered certain obvious advantages. It seemed to be the only way of conciliating the parliament, and without a good understanding between crown and parliament it was not worth while for England to have a foreign policy at all. If it failed in its immediate object, it might serve to induce Louis to offer better terms than he had recently been willing to give. William of Orange was inclined to distrust such action on the part of his uncles as was dictated by momentary needs, and the experienced envoys of Spain and Austria took the same view. But the arrival in May of a new Spanish ambassador, Ronquillos, more hopeful or more credulous than his predecessor, led to the conclusion of a treaty on June 10, by which England and Spain agreed to maintain the peace of Nimeguen. England had once more embarked on the policy of the Triple Alliance.

But no sooner was the alliance concluded than Sunderland was seized by a sudden mistrust of the policy which he had pursued for the last nine months. If Austria and Holland continued to hold aloof, it was extremely unlikely that parliament would be satisfied with a mere treaty with Spain. Even if a general coalition were formed, Louis XIV. might retaliate by betraying the secret of the treaty of Dover,[1] and in the present state of public opinion such a disclosure would be fatal to the monarchy. Sunderland began to think that the policy of exclusion might triumph, and that it would be safer to be on the winning side. The Duchess of Portsmouth was equally alarmed. If she had to choose between the interests of the

[1] For the actual disclosure of the treaty in 1682 and the complicity of the French government, see Hist. MSS. Comm. Rep., vii. (*Graham Papers*), 267-270, 276.

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Duke of York on the one hand, and on the other the security of her person and of her ill-gotten wealth, she had little hesitation as to her decision. The cautious Godolphin believed that the opposition would carry the day. Only Hyde and Secretary Jenkins remained loyal both to the king and to the duke. It was significant that Essex and Halifax reappeared in September at meetings of the council. Essex had now returned to the side of the extreme opposition; Halifax, though still uncommitted and possibly undecided on the succession question, was believed to be no friend to James.

The king had promised to Spain that he would allow parliament to meet on October 21, the date to which it stood prorogued by the latest proclamation. As the time approached, all eyes were turned to the Duke of York, who was certain to be the object of direct attack. He was bombarded by suggestions and solicitations from various quarters. Would he not save the state by returning to the Church for which his father had laid down his life? Would he not defend the cause of heredity by a voluntary surrender of his own claim in favour of his children? At any rate, he must leave the kingdom, lest his brother should be placed in a worse dilemma than that of Charles I. when Strafford had been attainted. James was in his most obstinate mood. He would not change his faith and he would not renounce his claim. He believed that concessions had brought nothing but ruin to the monarchy, and that it was better to fight than to temporise. He would not even quit the kingdom of his own accord, but he was ready to obey a royal command. Charles, annoyed at the inconvenient religious scruples, which he regarded as the chief cause of all the troubles, told his brother that he must return to Scotland. With the dismal conviction that his interests would be abandoned, James set out for Edinburgh on October 20.[1]

On the following day the two houses met, and all the passions which had been pent up for twelve months found at last a free vent. It is still difficult, in reading the records of the debates, to understand how rebellion was averted, and why such violent language was followed by such half-hearted action.

[1] *Life of James II.*, i., 592-99; Campana de Cavelli, i., 328-32; Dalrymple, ii., App., p. 269.

Shaftesbury was a formidable agitator, but he was not cast in the mould of a revolutionary leader Among his followers there was much divergence of opinion. Algernon Sidney was a speculative republican, but republicans were not popular, even among the whigs. Those who wanted to have a monarchy could not make up their minds whether they wished Charles to be succeeded by Monmouth, or by William, or by William's wife. No doubt among those whom we may call the non-commissioned officers of the opposition there were plenty of desperate men who were willing to strike a resolute blow for their cause. But the men who were the loudest talkers, and who made the greatest parade before parliament and the country, were at no time prepared to run the extreme risks of armed rebellion. On the other hand, even if they had desired violence, Charles was in no mood to gratify them. Probably no other king in our history could have put up with so much insolent and hectoring dictation from his subjects without either suffering the humiliation of complete surrender, or breaking out into uncontrollable indignation. Even those who saw most of Charles could never be sure that they knew his real mind. While men thought he was merely indolent and debonair, he was shrewdly calculating the chances in his favour, and when his councillors were almost in despair, he himself could have laid long odds on his ultimate victory. CHAP. VIII.

The king opened this eventful parliament with a carefully prepared speech. He laid stress upon the treaty with Spain, and upon the urgent need of supplies to enable him to defend Tangier against the Moors. He deprecated domestic divisions as likely "to render our friendship less considerable abroad". He renewed the assurance of his willingness to accept any securities for the Church so long as they should "consist with preserving the succession of the crown in due and legal descent". Barillon had distributed his guineas to the usual recipients of his bounty on the understanding that they should oppose the granting of supplies, and any other measures which might enable the king to fulfil the Spanish treaty.[1] But it is more than doubtful whether French gold had an appreciable influence on the passionate refusal of the commons to follow the line which the king had suggested to them. As Temple

[1] Dalrymple, ii., App., p. 289.

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says, the house met "with such a bent upon what they thought the chief of their home concerns, that the name of anything foreign would not be allowed among them; nay, the mention of Spanish leagues, alliances with Holland, and measures intended by the king with other confederates were laughed at as court tricks, and too stale to pass any more".[1] The breaking of the "triple bond" was neither forgotten nor forgiven, and Shaftesbury of all men was not likely to be deceived by devices to which in earlier times he had himself been a party.

While the lords renewed their inquiries into the plot, the commons turned to the burning question of the succession. After hearing the evidence of Dangerfield and other informers, it was decided on November 2 to draw up a second and more stringent exclusion bill. To the previous assertion that James' perversion had encouraged the popish party to carry on their devilish plots, the preamble added that "if the said duke should succeed to the imperial crown of this realm, nothing is more manifest than that a total change of religion within these kingdoms would ensue". Not only was James declared incapable of succession, but he was to be guilty of high treason if he should at any time claim authority, or if he should enter the kingdoms after November 5. The crown was to descend to such person or persons as would have inherited in case the duke were naturally dead. Shaftesbury's supporters defeated a proposal to name James' daughters as next in succession.[2] The bill was pressed through all its stages with almost indecent rapidity, and its supporters were so numerous and so violent that on the final reading the minority did not venture to challenge a division.

On the 15th Lord Russell carried the bill to the house of lords. There it was supported by Sunderland, Essex, and even by Monmouth, whose intervention in the debate was bitterly resented by the king. But it found a vigorous opponent in Halifax. He had convinced himself that exclusion would lead to civil war, and that it would be damaging to the interests of William of Orange, with whom he desired to be associated in the defence of protestantism. To the pretensions of Monmouth he was heart and soul opposed. Personal antagonism to Shaftesbury may well have contributed

[1] Temple, *Works*, i., 351. [2] Burnet, ii., 258.

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to stiffen his resolution. The debate resolved itself into an oratorical duel between the two most effective speakers of their generation, and it was the almost unanimous verdict of listeners that Halifax was the victor. His courage exerted even more influence than his eloquence, though both roused admiration. All the bishops who were present followed him into the lobby,[1] and the bill was rejected by the decisive majority of 63 votes to 30. In order to prove that their action was not dictated by any sympathy with popery, the lords proceeded on the very next morning to consider measures "for the effectual securing of the protestant religion". Shaftesbury fell back on the old scheme of the king's divorce and re-marriage. Halifax proposed the banishment of the Duke of York for the life of the present king or for a term of five years.[2] Essex urged the formation of an association like that which had been formed for the defence of Elizabeth. This last idea was adopted by the house, which also incorporated in a bill the limitations proposed in 1679.

But the commons were too angry to listen to any such schemes, however far-reaching. On the ground that Halifax had advised the dissolution of the previous parliament, but really on account of his successful opposition to the exclusion bill, they voted an address urging the king to remove the earl from his presence and councils for ever. Charles replied on the 26th, that he would not dismiss the earl on the grounds advanced, but that he would not protect him if he were proved guilty of any crime. The disappointed commons turned their anger against Lord Stafford, the oldest and feeblest of the five Roman catholic lords still confined in the Tower. On the 30th, he was brought before the lords in Westminster Hall to answer the impeachment of the lower house. For six days he did his best to rebut the carefully concocted but still conflicting evidence of Oates, Dugdale, Turberville, and other witnesses. There was never the slightest chance of acquittal. Many who must have doubted the prisoner's guilt voted against him to prove their continued belief in the existence of a popish plot. Among them were

[1] See Burnet, ii., 259 *note*; Campana de Cavelli, i., 336.

[2] James declared that this proposal, after Halifax's recent action, was "as bad as a stab of a dagger to me": Campana de Cavelli, i., 340. *Dartmouth MSS.* (Hist. MSS. Comm. Rep., xi., App. 5), p. 53.

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Sunderland and Essex. Halifax, driven by the attack of the commons into a closer alliance with the court party than he probably desired, voted in the minority. The numbers were fifty-five to thirty-one. Finch, now chancellor and Earl of Nottingham, showed the true spirit of the majority when, in pronouncing sentence, he went out of his way to declare that the papists had kindled the great fire. On December 29, the last victim of the popish plot perished on the scaffold amidst the jubilant shouts of the London mob.[1]

The king had been saved from the need of exercising his veto on the exclusion bill by the action of the house of lords. But in December Charles was involved in a quarrel with the house of commons, which recalled the spirit and even some of the incidents of the troubled times of his father's reign. His pecuniary needs were urgent, and he had received no supplies. Tangier was hard pressed, and the fleet had been allowed to fall into neglect. Above all, the alarm excited by the "Reunions" was on the increase, and the envoys of Holland, Spain, and the Emperor were eager in their demands that England should carry out the treaty with Spain and join in a general coalition to maintain the balance of power. If the parliament were to be prorogued or dissolved, all these needs must remain unsatisfied. Directly after the rejection of the exclusion bill, the three envoys had met to advise the king to allow the assembly to continue. They now urged him to come to some definite agreement with his subjects. Accordingly on December 15, Charles made a second royal speech in which he demanded adequate supplies to enable him to fulfil his obligations to Spain and to defend Tangier. At the same time he repeated his readiness to consider any expedients for the maintenance of protestantism at home which did not touch the legal order of succession. The commons replied on the 20th, with an address, which was intended to serve as a political manifesto. After dilating at great length upon the dangers from popery, it demanded that the king should assent to the exclusion of the Duke of York, allow judges to hold their commissions *quamdiu se bene gesserint*, and appoint none but protestants to judicial, military, and naval offices. If these requests were

[1] See Klopp, ii., 473-74, App. xxii., report of Count Thun; compare *Kenyon MSS.*, pp. 123-24.

granted, they declared their willingness to aid in the defence of Tangier, to equip the fleet so as to maintain the sovereignty of the seas, and to support any alliances formed for the defence of protestantism and the security of the kingdom. CHAP. VIII.

Thanks to the Christmas recess, Charles was able to take a fortnight to consider his answer to this momentous address. Its rejection might mean civil war. Halifax admitted to Sir John Reresby that he contemplated such a contingency.[1] James, watching affairs with keen interest from Edinburgh, and loathing limitations almost more than exclusion,[2] was eager to fight. But would Charles stand firm and run the risk? He was known to be pacific, he was believed to be careless and yielding, he was not credited with any deeply rooted affection for his brother. The opposition reckoned upon the potency of the money bribe, and upon the influence of intimate advisers whose interests demanded that the king should give way. The Duchess of Portsmouth and Sunderland had good reasons to dread the accession of the unforgiving James. Temple, once more in attendance at the council, was insistent that England could never recover its due position in Europe unless the king could regain the support of parliament. The same line of argument was taken by the envoys of the powers which were hostile to France. Even William of Orange, who feared that exclusion might lead to the elevation of Monmouth, and who hated restrictions on a popish king on the ground that they would certainly be enforced against a protestant successor,[3] came to the conclusion that his own interests must be sacrificed to those of Europe. In order that England might be enabled to join in opposing Louis XIV., he desired that the king should consent to exclusion. The states of Holland went so far as to forward through Henry Sidney a strongly worded memorial giving the same advice.[4]

If Charles had been merely the indolent debauchee that he is usually represented, he would have given way, in spite of Laurence Hyde and Halifax, to the apparently irresistible concurrence of advice, intimidation, and interest. But under

[1] Reresby, p. 193.
[2] So he told Barillon: Campana de Cavelli, i., 313.
[3] Dalrymple, ii., App., p. 306.
[4] *Life of James II.*, i., 642; Klopp, ii., 291.

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his gay and complaisant exterior Charles concealed not only a fund of unsuspected obstinacy but a keen political insight. On the question of the succession he did not intend to yield, and he was convinced that his enemies would not venture to fight. He had acted throughout in anticipation of a reaction of public opinion in his favour. A curt answer to the sesquipedalian address was drawn up, stating that the king's opinion of the exclusion bill had been confirmed by the decision of the house of lords, and recalling to the commons the urgency of foreign relations and especially of the defence of Tangier. The commons hastened to declare that without exclusion they would grant no supplies, and threatened to attack the pernicious advisers who had counselled the king's reply. It was now useless to prolong the session, and Charles determined on a prorogation. Some hints of his intention having got abroad, the commons hurriedly passed a series of resolutions in the style of 1629. The first declared that whoever advised the prorogation in order to prevent exclusion, was a betrayer of the king and the protestant religion, a pensioner of France, and a promoter of French interests. The arrival of Black-rod put an end to the scene, the parliament was prorogued on January 10, 1681, for ten days, and before the interval had expired, it was dissolved and a new parliament summoned to meet on March 21. Charles continued to act with unexpected firmness. The names of Sunderland, Essex, and Temple were struck off the privy council. As soon as a successor could be found, Sunderland was deprived of his seals as secretary of state.

The whigs were taken aback and not a little chagrined by an announcement that the next parliament was to meet in Oxford. The London mob was one of their most valuable weapons. The choice of Oxford was said to be an old counsel of Danby's, and it was generally believed that if the king gained the day, his first act would be to release and restore to favour the imprisoned minister.[1] But on one essential point Charles had made up his mind to a policy which would not have received Danby's approval. The elections resulted in the return of a large majority of men pledged to insist upon exclusion. The experiment of conciliating opponents by antagonism to France had proved a humiliating failure.

[1] Reresby, p. 201.

Charles reopened negotiations with Barillon. James from Edinburgh sent John Churchill, destined as Duke of Marlborough to inflict such crushing defeats upon the French, to urge the conclusion of a treaty with Louis XIV.[1] Halifax had retired to Rufford after the dissolution, and the only councillor admitted to the king's confidence was Laurence Hyde. Nothing was committed to paper. By a verbal agreement Charles undertook, in return for 2,000,000 francs in the first year and 500,000 crowns in each of the two following years, to free himself from the alliance with Spain and to dispense with parliament.[2] The treaty was to come into force on April 1. Fortified with this assurance of pecuniary aid Charles travelled to Oxford to meet his last parliament. CHAP. VIII.

All eyes were now fixed upon the university town, which for more than a week witnessed strange and stirring scenes. The undergraduates were sent home, and the colleges were fitted up for the reception of members of the two houses. Balliol, where Shaftesbury took rooms for his supporters, became the whig head-quarters, while Christ Church was the appropriate stronghold of the king and courtiers. The limited accommodation of the city was strained to the utmost to accommodate the retainers who had accompanied the whig lords, "as if they were attending a Polish diet". Royal troops patrolled the road from Windsor to guard against any attempt to seize the king's person. Eager partisans in the mob which paraded the streets were distinguished either by royalist badges of red ribbon, or by blue bows inscribed with the words, "No Popery, no Slavery!" On Sunday the usual service was held in St. Mary's, and the tory member for Marlborough records of his opponents "that even in the house of God the rancour went so far that they would not sit promiscuously but separated from us in God's church".[3]

On Monday, March 21, the short but eventful session was opened, the lords sitting in the Geometry School, an inconvenient room on the first floor of what is now the quadrangle of the Bodleian Library, and the commons in the Convocation House. In unusually stately periods, the king condemned the factious proceedings of the late parliament, announced his fixed determination to maintain the legiti-

[1] Dalrymple, ii., App., pp. 295, 298. [2] *Ibid.*, App., p. 301.
[3] Ailesbury, *Memoirs*, i., 54.

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mate succession, but reiterated his willingness to consider any expedient other than exclusion for the defence of the protestant faith. The commons spent three days in the swearing in of members, and it was not till the Thursday that they were able to proceed to business. A certain Fitzharris, an Irish papist, had been accused before the king's bench of concocting a libellous story of a plot against the king's life. The commons, eager to revive the waning credit of the plot, and to protect a material witness, brought a formal impeachment against Fitzharris.[1] The lords, however, refused to intervene in a case already pending before a common law court. The commons resented this as a denial of their right of impeachment, and a set quarrel between the houses was on the point of breaking out.

But the attention of the lower house was soon concentrated on the last and most extreme expedient which the council had decided to offer as a substitute for exclusion. The scheme, which was attributed to Halifax, amounted to an entire severance of the royal power from the royal title. The Duke of York was to succeed to the crown. But he was to be banished from the kingdom for life, and the government was to be entrusted to a regent. The first regent was to be the Lady Mary, after her her sister Anne. If the duke should have a son who was brought up a protestant, the regency was to cease on his coming of age. The grand debate on this proposal took place on Saturday, March 26. On that very morning Shaftesbury ventured on a personal appeal to the king in the house of lords that he would put an end to all disorders by recognising Monmouth as his successor. Charles replied: "I will never yield, and I will not let myself be intimidated".[2] The decision of the commons was to put that resolution to the test. The plan of a regency, which among other objections would certainly have given rise to difficulties with Scotland, was rejected. And the house resolved to bring in a bill to disable the Duke of York from inheriting the crowns of England and Ireland.

Charles, who never appeared more cheerful than in this

[1] *Lindsey MSS.*, p. 428; Reresby, p. 208; Burnet, ii., 285.

[2] Barillon, March 28, 1681, in Christie, ii., App. vii., p. cxvi. *Beaufort MSS.* (Hist. MSS. Comm. Rep., xii., App. 9), pp. 83-84.

crisis, had anticipated the resolution and had made all his preparations beforehand. On the Saturday he disarmed suspicion by personally superintending the arrangements for transferring the commons from the Convocation House to more roomy accommodation in the theatre recently built by Archbishop Sheldon. On Sunday a cabinet council decided for dissolution. On Monday morning the king in his ordinary costume was carried in a sedan chair from Christ Church to the Schools. In a second chair were the robes of state which he hastily donned. Black-rod summoned the commons to the bar of the house of lords. They hastened to obey, in confident anticipation of some new concession to their demands. Charles called upon the chancellor to declare his will, and Lord Nottingham announced that the parliament was dissolved. As the king was disrobing he touched a tory friend on the shoulder and said, "I am now a better man than you were a quarter of an hour since: you had better have one king than five hundred".[1] After a hasty meal he drove off in Sir Edward Seymour's carriage and arrived the same evening at Windsor. CHAP. VIII.

The whigs were thunder-struck by the sudden dissolution. A Mirabeau would have proposed and carried a motion to continue the session. This would have been a revolt, and might have led to a revolution. But Shaftesbury had little of the courage of Mirabeau, and at Oxford he had none of the "brisk boys" whom he might have collected in London. After a brief period of stupefaction, the whig lords began to bid against the equally surprised tories for horses, of which the supply was so inadequate that prices were speedily doubled. As soon as the necessary animals could be procured, their chariots began to lumber homewards. Charles returned to Whitehall a week after his departure from Oxford, a dependant upon the bounty of Louis XIV., but the victor in the struggle with his whig opponents. The great crisis of the reign was at an end.

[1] Ailesbury, *Memoirs*, i., 57.

CHAPTER IX.

SCOTLAND AND THE COVENANTERS.

CHAP. IX. DURING almost the whole of the seventeenth century the history of Scotland is predominantly ecclesiastical: but this characteristic is at no time more conspicuous than in the period between the Restoration and the Revolution. After the first excitement of the return from republican to monarchical government had died down, there was little outside the area of Church politics to which Scotsmen could devote their spare time and interest. Foreign policy there could be none so long as affairs were directed from London, and so long as the Scottish parliament was neither strong nor independent enough to compel attention to Scottish interests. Of party politics in the modern sense there could be no trace in a country where constitutional life and vigour were unknown. Industry, trade, and agriculture were alike stagnant and unprogressive; the interest in natural science, so keen in England, was as yet hardly felt in the north; the only branches of secular education which were pursued with any vigour were law and medicine, and they were studied rather at Leyden and Utrecht than in the home universities. There was no lack of rivalries and jealousies in the inner circle of nobles and churchmen who competed with each other for royal favour and for the power which that favour alone could give. But their obscure and ignoble strife turned largely upon ecclesiastical questions. The mass of the people cared little whether Middleton or Lauderdale, Rothes or Tweeddale or Hamilton, gained the upper hand, except so far as it might lead to the adoption of a more tolerant or a more repressive policy towards recalcitrant presbyterians.

From the point of view of an English presbyterian the Church settlement in Scotland could be regarded in many ways as highly satisfactory. Neither in wealth, nor in power, nor in

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social rank, were the Scottish bishops comparable with their English brethren. Within his diocese the bishop was very much what Ussher in his "model" had proposed to make him in England. Presbyteries, synods, and kirk sessions met under episcopal approval, and performed practically the same duties as in the days from 1638 to 1660 when there were no bishops. It is true that there was no general assembly, which had not met since 1651, and that the national synod which it was proposed to create in 1663 was never convened. On the other hand—a concession which Baxter and Calamy could never have dreamed of demanding in the south—there was no compulsory liturgy in the Scottish Church. No attempt was made to renew the fatal blunder of Laud. Some few ministers, as Gilbert Burnet at Saltoun, might make public use of the English Prayer Book,[1] many more might use it in private worship, but in the vast majority of churches extempore prayer was the rule. As Sir George Mackenzie puts it: "We had no ceremonies, surplice, altar, cross in baptism, nor the meanest of those things which would be allowed in England by the dissenters in way of accommodation. The way of worshipping in our Church differed nothing from what the Presbyterians themselves practised, excepting only that we used the doxology, the Lord's Prayer, and in baptism the Creed."[2]

In addition to these considerations, it must be remembered that in earlier Scottish history all serious opposition to the central government had been made by the nobles, and that the nobles took little interest in ecclesiastical controversy. As a body they preferred episcopacy to presbyterianism, but this preference was icy compared with their detestation of clerical dictation. They had quarrelled with bishops in the time of the Beatons: they had quarrelled with ministers in the days of John Knox and Andrew Melville. And in the seventeenth

[1] *Supplement to Burnet* (ed. Foxcroft), p. 471.

[2] An English presbyterian, Josiah Chorley, who attended Glasgow University in 1671-72, gives an interesting confirmation of this. "The public worship in the churches, though the archbishop himself preach, is in all respects after the same manner managed as in the Presbyterian congregations in England, so that I much wondered why there should be any Dissenters there, till I came to be informed of the renunciation of the Covenant enjoined and the imposition of the hierarchy": see D. Butler, *The Life and Letters of Robert Leighton* (London, 1903), p. 485.

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century they looked down upon the clergy as "the sons of their own servants and farmers".[1] The determination to subject the Church to secular control was one of the strongest links which bound the nobles to an alliance with the crown. To men like Lauderdale and Tweeddale, Sharp and his colleagues might be useful tools, but they were insufferable as equals.

It is not, therefore, surprising that a Church settlement which had the support of crown and nobles, and in its everyday working jarred very little upon presbyterian prejudices, was received with tacit acquiescence in the greater part of Scotland. Beyond the Tay the covenanting spirit had never spread, and south of that river episcopacy as established in 1661 and 1662 met with little opposition, except in the isolated shire of Fife and in the south-western counties from the Clyde to the Solway. Edinburgh had taken the lead against Charles I. and Laud, but Edinburgh was quiescent under both Middleton and Lauderdale. But Scotland would hardly have been Scotland if this submissive spirit had been universal. During the long struggle for the covenants a passionate interest had been aroused in ecclesiastical questions. In the eyes of a zealous covenanter there were two stains on the Church which must at all hazards be effaced. These were prelacy and erastianism. Bishops had come to be regarded, in the elegant language of a presbyterian historian, as "the spawn of popery—the issue of the scarlet whore's fornications with the princes of the earth". And to admit state control in spiritual matters was to allow King Charles to lay sacrilegious hands upon the ark and to infringe the prerogative of King Christ. Actuated by these principles, one-third of the ministers had quitted their manses and their churches rather than submit to presentation by lay patrons and the authority of bishops. All over southern Scotland these men had sympathisers, but in the south-west they had the active support of the majority of the people.

The brutal measures of Middleton and his drunken associates had precipitated this schism in Scotland, and Middleton's sudden downfall left to his successors the problem of dealing with the "outed" ministers and their followers. The most influential man was Lauderdale, who as secretary had

[1] Mackenzie, *Memoirs*, p. 160.

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the ear of the king. But it would be a mistake to suppose that Lauderdale had a free hand in dealing with Scotland. He resided for the most part in London, and could only work through the Scottish council, in which the leading men, such as Rothes and Sharp, were jointly responsible for the recent legislation. Above all he could not wholly separate his action from the trend of Church policy in England. For three years, from 1663 to 1666, his hands were more or less tied. He had opposed as far as he could the policy of Middleton and Clarendon in dealing with the Scottish Church, and there can be no doubt that he was genuinely in favour of more moderate measures. But at a time when the English parliament was endeavouring to trample down opposition by the conventicle act and the five-mile act, it was not easy to try the experiment of compromise and conciliation in the sister kingdom. Lauderdale, with a past which exposed him to suspicion, could not venture to demand the reversal of the recent statutes in Scotland. At the same time he did not desire to incur the responsibility for their execution. With cynical confidence that they would ruin their own reputation, he left Rothes and Sharp to adopt measures of coercion which in violence and in dubious legality went far beyond the acts of the cavalier party in England. The advocates of repression received in 1664 a strenuous recruit in the person of Alexander Burnet, who was transferred from the see of Aberdeen to the archbishopric of Glasgow and admitted to the privy council. Burnet was honest and sincere, but he was a member of the Anglican rather than of the Scottish Church, and he desired a measure of uniformity which in England was difficult, and in Scotland impossible, of attainment. In Aberdeen, where the national covenant had been rejected, he had been harmless, but it was a misfortune that at this juncture he was promoted to the very diocese in which the struggle was to be fought out.

The covenanters have been elevated in Scottish tradition to the rank of national heroes. It is easy to sneer at their bigotry and the narrowness of their outlook, but it is impossible to refrain from admiring the dogged heroism with which a small and socially insignificant minority, encouraged by no approval except that of their own consciences, defied the deliberate efforts of an all-powerful oligarchy to effect

CHAP. IX. their suppression. The acts of 1662 and 1663 had given ample powers to the council, but it had hardly time enough to deal with the mass of business before it. To supplement its activity, the king in 1664 created a special commission, with the most extensive powers to deal with "all obstinate contemners of the discipline of the Church". For a year this court competed with the council in trying and punishing the numerous offenders brought before it on the information of the "curates". So intense was the disgust excited by the systematic persecution of men who in all other respects were orderly and law-abiding, that Leighton, whose own diocese was a model of peaceful compromise, was induced to go to London with remonstrances to the king. Charles was so far influenced by his representations that the commission court was suspended, and the task of enforcing conformity was once more left to the council. But the only result of the weakening of judicial machinery was the increased employment of extra-legal methods. The chief agent of the council was Sir James Turner, a professional but not illiterate soldier who had served in the Thirty Years' war. Of Turner, who is said to have suggested to Scott the character of Dugald Dalgetty, Burnet tersely remarks that "he was naturally fierce, but was mad when he was drunk, and was often so".[1] He had summary methods of dealing with recalcitrants in Galloway. If a man was reported as a regular absentee from church, he levied a fine upon the delinquent, and quartered soldiers upon his household until it was paid.

The English ministers paid little attention to affairs in the north, and the "Scottish council" which had been started at Whitehall at the beginning of the reign had ceased to meet after Middleton's fall.[2] There was one point, however, on which both king and ministers were keenly sensitive. When the Dutch war began, it was imperative that there should be no open disorder in any part of the country which should give either aid or encouragement to the enemy. It was especially undesirable that such disorder should arise in Scotland, where the Dutch were regarded as intimate allies, and the people openly rejoiced that they were not overthrown. Rothes wrote to Lauderdale in the spring of 1666 that

[1] Burnet, i., 378. [2] *Ibid.*, p. 383.

"there is no hazard nor scarcely a possibility of any stirring in this country to oppose the established laws and government of Church and State".[1] His assurance was sadly belied before the end of the year when a rising actually occurred. It never assumed formidable proportions, but it was quite sufficient to alarm the government in London which, misled by the positive language of the commissioner, had withdrawn a considerable portion of the troops from Scotland. CHAP. IX.

On November 13, 1666, a scuffle at Dalry in Galloway resulted in the release of a prisoner and the surrender of the soldiers who had captured him. In the neighbouring village of Balmaclellan a more deliberate attack resulted in the seizure of more soldiers. To avert the otherwise inevitable punishment, the victors collected men at Irongray and advanced on the 15th to Dumfries, where Turner himself was surprised in his bed and was carried off by his captors. Emboldened by this success, the insurgents marched northwards into Ayrshire, receiving recruits by the way. At Bridge of Doon they were joined by James Wallace, who had been a colonel in the parliamentary army in England. Under his command the rebels, who now numbered over a thousand men, acquired a rudimentary drill and organisation. Meanwhile the council in Edinburgh had received news of the outbreak, and made hasty preparations for resistance. Rothes was away in England, and in his absence the command of the forces was entrusted to Thomas Dalziel of Binns, a soldier who had recently returned from service in Russia, where he had acquired Muscovite barbarity as well as experience in warfare. His bushy beard, never shaved since the execution of Charles I., and his bald head, which he refused to cover with a wig, excited the ridicule of the Londoners. But the oddity of his appearance detracted no whit from his military vigour, and even Claverhouse at a later date was not regarded with more terror and detestation by the covenanters.

After securing Glasgow against attack, Dalziel advanced to meet the insurgents in Ayrshire. But Wallace had no desire to risk an encounter with regular troops, and hastily led his followers inland to Lanark. On the news that Dalziel was in hot pursuit, the insurgents broke up their camp and

[1] *Lauderdale Papers*, i., 236.

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marched along the northern side of the Pentlands towards Edinburgh, where they were led to believe that they would be welcomed by the citizens. By desperate efforts they succeeded in keeping in advance of their pursuers. The weather was persistently wet and stormy, desertions were frequent, and only a draggled and sadly diminished force reached Colinton on November 27. There they discovered that they had been misled. The capital was securely guarded, and there was no movement of sympathetic citizens. Afraid of being trapped between the walls and the royalist forces from the west, Wallace was compelled to put the marching powers of his men to a new and desperate test. Rounding the Pentlands, they set out along the southern slopes on a return journey to the only district in which there was a chance of safety. But it was too late. Dalziel's troops, instead of following their prey to Colinton, crossed the pass from Balerno to Glencorse, and came upon the insurgents on Rullion Green. Wallace did his best by assuming a strong defensive position on the slope of Turnhouse Hill, but the advantage of numbers and discipline was too great, and an obstinate contest ended in the complete dispersal of the insurgents. Some forty men were slain, and over a hundred were taken prisoners.[1]

The Pentland rising was followed by a brief spell of redoubled severity. Nearly forty of the prisoners who refused to save their lives by renouncing the covenant were put to death. Ministers and other leading men were tortured in "the boot," in the vain hope that they would betray accomplices in the rebellion. Rothes, who had hurried northward on the news of disorder, went on tour through Lanark and Ayr to hunt for traces of disloyalty. Meanwhile, Dalziel was sent to Galloway to "play the Muscovite," and to enforce attendance at church by quartering his troops upon absentees. And all contemporaries admit that severity appeared to be justified by success. The curates found their churches filled with large if reluctant congregations, and the archbishops began to contemplate the possibility of introducing the English liturgy and enforcing such a conformity as would have satisfied Laud.

[1] *Lauderdale Papers*, i., 249-52; C. S. Terry, *The Pentland Rising; Cal. S. P. Dom.*, 1666-67, pp. 262, 268, 275, 280, 295.

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But just at the moment when victory seemed within their grasp, the high episcopal party discovered that they were not to have their own way. For some time they had been confronted by a hostile group in Scotland, of which the leaders were Lord Tweeddale, who enjoyed the confidence of the presbyterians, and Lord Kincardine, who resented the growing pretensions of Sharp to guide affairs of state. Kincardine was an old friend of Lauderdale, and Tweeddale's son had recently married Lauderdale's daughter and heiress. Lauderdale himself had seen for some time that his control of Scottish business was threatened by the ascendency of Sharp and Rothes, and that it would be at an end if they were allowed to coerce the country with an overwhelming military force. He had ample knowledge of Sharp's secret intrigues against him, and he had come to regard Rothes, who had been his tool in 1663, as a dangerous rival. Rothes was personally a favourite with Charles, and he had strengthened his influence at court by marrying his niece, the heiress of the house of Buccleugh, to the Duke of Monmouth. So Lauderdale only waited for an opportunity to overthrow the two men who stood in the way of his complete ascendency.

The Pentland rising served his purpose admirably. Both king and ministers were extremely annoyed at the outbreak of open rebellion in Scotland at a time when the Dutch war was taking an unfavourable turn. Just as the government with ill-timed economy was deciding to lay up the English fleet, increased expenditure was required for the forces employed in coercing Scottish malcontents. And this had happened in the teeth of Rothes' positive assurances that no disorder was to be feared. It was not difficult for Lauderdale and Sir Robert Moray to spread the conviction that the government of Scotland was in incompetent hands, and that it was high time to try a change both of men and of measures. They were aided by the fact that the credit of Clarendon and Archbishop Sheldon, who might have upheld the Scottish churchmen, was completely undermined at Whitehall, and that Charles was already inclining to that great change in English policy which led to the Cabal administration and the declaration of indulgence.

The first blow was struck at the beginning of 1667. The

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chancellorship had been vacant since Glencairn's death in 1664, and Sharp was eager to give proof of the revived importance of the hierarchy by securing his own appointment to the office. He had been immensely elated when he was invited to preside over a convention of estates in 1665. But in January, 1667, when another meeting was held to grant money for the Dutch war, the presidency was given to the Duke of Hamilton,[1] whose support Lauderdale desired to gain, and Sharp was ordered to remain in his diocese.[2] Rothes, who had no great love for Sharp, wrote that the archbishop was "strangely cast down, yea, lower than the dust," at this sudden and unexpected disgrace.[3] The earl was soon to share in the discredit of his former colleague. In June, Sir Robert Moray, who had been sent to Scotland to effect a redistribution of offices, called upon Rothes to resign his posts as commissioner and treasurer, and to accept in exchange the vacant chancellorship, which would give him dignity without power. Rothes protested in vain that he was quite unfit for the proffered post, that he knew no Latin and less law, and that "banishment could not have been more unwelcome".[4] He was ultimately forced to consent, and the treasury was entrusted to a commission in which the supporters of Lauderdale formed a majority. An amnesty was granted to all who had been concerned in the recent rising, on condition that they would sign a bond for the maintenance of the peace. The disbandment of the army on the conclusion of the treaty of Breda deprived Rothes of his military command in addition to his two great civil offices.

Lauderdale had won an easier and a far more complete victory than that of 1663. The partisans of episcopacy were aghast at the overthrow of their trusted champions. Alexander Burnet, always resolute and outspoken, wrote to Sheldon begging him to use his influence with the king to avert a fatal change of ecclesiastical policy. But Sheldon's influence had fallen with that of Clarendon,[5] and all hope of a successful protest from the Scottish bishops was destroyed by the abject cowardice of Sharp. Wearied of his seclusion at St. Andrews,

[1] William Douglas, eldest son of the first Marquis of Douglas, was married in 1656 to Anne, Duchess of Hamilton, and at the Restoration was created Duke of Hamilton for his life.

[2] Burnet, i., 428.

[3] *Lauderdale Papers*, i., 269, 270.

[4] *Ibid.*, ii., 3.

[5] Burnet, i., 453.

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he was eager to make his peace with Lauderdale. A few adroit epistles from the secretary, followed by an autograph letter from the king himself, were enough to draw from Sharp the most fulsome assurances of support. "His Majesty's hand with the diamond seal," wrote the archbishop, "was to me as a resurrection from the dead," and he returned to Edinburgh to preach moderation to his fellow bishops, and to express his pleasure at having to do business with serious statesmen, instead of with drunkards like Rothes.[1]

But Lauderdale was still confronted with the difficult question of conformity. The presbyterians had become "insolent" with the turn of the tide in their favour. An attempt in July, 1668, to assassinate Sharp in the streets of Edinburgh, in which the bullet broke the arm of the Bishop of Orkney, showed the extremes to which religious hostility was carried. It was imperative to discover some method for the restoration of peace and order. Leighton's scheme of "accommodation," which would have turned the bishops into permanent moderators of presbyteries, was rejected by Lauderdale as involving too large a change in the constitution of the Church.[2] After prolonged deliberation the group of men who ruled Scotland decided upon a simple measure of toleration. On June 7, 1669, Charles II. issued from Whitehall the "first indulgence," in which he ordered the Scottish council to restore to their parishes, if they happened to be vacant, such of the evicted ministers as "have lived peaceably and orderly in the places where they have resided". Negotiations, in which Gilbert Burnet took a part, had already been conducted with several of the leading presbyterians, and some forty of them were induced to accept the indulgence.[3]

That ministers who rejected episcopal authority should be restored to their livings was a serious matter, but that this should be done by the secular power without consultation with the Church was an encroachment upon clerical autonomy which no high churchman could regard with equanimity. Archbishop Burnet and the synod of his diocese hastened to draw up a temperate but firm condemnation of the indulgence.

[1] *Lauderdale Papers*, ii., 86-93; Burnet, i., 433. [2] Burnet, i., 497-500.
[3] Wodrow, *History of the Sufferings of the Church in Scotland*, ii., 130; Burnet, i., 507.

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A copy of the document was promptly forwarded to the English court, where it produced a profound impression. The king called it a "mutinous libel," while Sir Robert Moray in stronger language denounced it as a "new unchristened remonstrance," and declared that "this damned paper shows bishops and episcopal people are as bad on this chapter as the most arrant presbyterian or remonstrator".[1] It was determined to take advantage of this indignation to reduce the Scottish Church to complete subservience to the crown.

Meanwhile the king and his advisers in London had made up their minds to convene a new Scottish parliament, and to bring before it no less a scheme than the complete union of England and Scotland. It is not easy to ascertain why this project, deliberately rejected in 1660, should have been revived at this not very favourable juncture. The king and his brother were deeply absorbed in the negotiations with France which were leading up to the treaty of Dover. That English ministers, such as Buckingham and Lord keeper Bridgeman, were ready to welcome a union which would strengthen the demand for religious toleration is probable enough. But Scottish opinion was vehemently hostile. "You cannot imagine," writes Lauderdale to Moray, "what aversion is generally in this kingdom to the union. The endeavour to have made us slaves by garrisons and the ruin of our trade by severe laws in England frights all ranks of men from having to do with England."[2] And it is inconceivable that the men who now held Scotland under their control could have any prospect of personal gain in the destruction of a separate Scottish government. Yet Burnet distinctly states that Tweeddale "set on foot the proposition," and that Lauderdale "pressed it vehemently".[3] The probability is that Lauderdale desired a meeting of parliament, partly that he might be appointed royal commissioner, and partly that he might build secure foundations for his own ascendency by proving that he could surpass his predecessors in making the king absolute master of Scotland. With this end in view he seems to have urged Charles into the scheme of union, confident that it would be brought to nought by the persistent ill-will between the two countries.

Lauderdale was appointed commissioner, and was received

[1] *Lauderdale Papers*, ii., 139. [2] *Ibid.*, ii., 154. [3] Burnet, i., 505.

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with unusual honours and flattery on his progress to the capital. The second parliament of the reign was opened on October 19, 1669, and proved as servile as its predecessor. Archbishop Burnet was forbidden by the council to come to Edinburgh, so that the only formidable prelate was silenced. The election of the lords of the articles was a mere form, as Lauderdale declares, "I wrote the lists and not a man was altered".[1] To the king's letter urging the desirability of union, a dutiful reply was drawn up, which gave his Majesty the right to nominate commissioners and to fix the time and place of their meeting. Sir George Mackenzie, who protested that parliament should appoint its own commissioners and that the national liberties should be secured as in 1604, found no one to support him.[2]

Lauderdale was now determined to carry through the two measures on which he had set his heart. A bill to establish a militia, which should be completely at the king's disposal, was adopted without serious opposition. But he had more difficulty with his proposal to define the royal supremacy over the Church. This measure not only declared the king to be supreme "over all persons and in all causes ecclesiastical," but went on to state that "the ordering and disposal of the external government of the Church doth properly belong to his Majesty and his successors as an inherent right to the crown". Sharp murmured to Tweeddale that "all King Henry VIII.'s ten years' work was now to be done in three days, that four lines in this act were more comprehensive than a hundred and odd sheets of Henry VIII.". But he did not venture, after his recent experience, to make any effective protest, and he even assisted the commissioner in suppressing opposition in the articles. The nobles were only too eager for anything which promised to keep the bishops in subjection; and the bishops were hampered by their dependence upon royal support and by their former denunciations of presbyterianism as anti-monarchical.[3] The act was passed without alteration and, with the militia act,

[1] *Lauderdale Papers*, ii., 142.

[2] Mackenzie, *Memoirs*, pp. 148-55; *Lauderdale Papers*, ii., 143-44.

[3] For the discussions and opinions on this act, see *Lauderdale Papers*, ii., 151-54, and Mackenzie's *Memoirs*, pp. 158-60. Compare Burnet, i., 511-13.

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received formal approval by the touch of the sceptre on November 16.

Lauderdale hastened that very day to write a triumphant pæan to the king. "The first act makes you sovereign in the Church, you may now dispose of bishops and ministers, and remove and translate them as you please (which I doubt you cannot do in England). In a word this Church, nor no meeting nor ecclesiastic person in it, can ever trouble you more unless you please; and the other act settles you twenty thousand men to make good that power. But, by the way, they say the militia act gives jealousy in England because it is declared you may command them to any of your dominions. . . . If any shall talk to you of such jealousy, you may easily tell them they cannot march without you command them, and if you shall command them, you may tell them from me better news. That, if you command it, not only this militia, but all the sensible men in Scotland, shall march when and where you shall please to command, for never was king so absolute as you are in poor old Scotland."[1] It is not surprising that the English house of commons, when at a later date it learned these sentiments, desired to impeach Lauderdale. The first use of the act of supremacy was to punish Archbishop Burnet, who was summoned before the council and compelled to choose between resignation and dismissal. Sharp made a faint suggestion that the episcopal character was indelible, but Lauderdale cut him short with the assertion that the exercise of office in the Church depended on the supreme magistrate, and that Burnet might be archbishop in the catholic Church but not in Glasgow.[2] To this brutal frankness the churchmen gave way, and Burnet retired on a pension of £300 a year. The vacant see was given to Leighton.

As the English parliament was too busy to take up the question of union in 1669, the Scottish assembly was adjourned on December 23. Its last act was the annexation to the crown of the Orkneys and Shetlands, which "sounded mighty well" at Whitehall. It may be true, as Mackenzie says, that "members were rather overawed than gained to a compliance," but Lauderdale had good reason to plume himself on his suc-

[1] *Lauderdale Papers*, ii., 164. [2] *Ibid.*, ii., 172.

cess when the grateful king declared that "you there do outdo us here very far".[1] But the question of the day in Scotland was as far from a settlement as ever. The royal supremacy was as secure as an act of parliament could make it, and forty ministers had been bribed into passive conformity by the indulgence. These measures, however, brought increased strife rather than peace. If the act of supremacy was distasteful to the more rigid episcopalians, it was loathsome to the covenanters. And while the indulgence slightly diminished the number of declared malcontents, it increased both the courage and the bitterness of those who refused to accept it. In their eyes the indulged ministers, who sacrificed their principles for a mess of pottage, "dumb dogs" who refused to testify to the belief which they professed, were infinitely more hateful than honest partisans of episcopacy. To maintain their reputation for consistency against these violent denunciations, the "council's curates," as they were called in distinction from the "bishops' curates," remained doggedly hostile to episcopacy, and rejected all Leighton's proposals of peaceful compromise. And all the time the extreme covenanters continued to hold conventicles, to ordain men of their own belief to the ministry, and to employ the services of outed ministers for the baptism of their children. CHAP. IX.

Lauderdale's great success in the parliament of 1669 secured to him the continuance of royal favour for another ten years, but his hold upon Scotland was never again so strong as in this year. This was partly due to a change in his own character.[2] His natural imperiousness was increased by his recent triumphs, and by the influence of his mistress, Lady Dysart, whom he married in 1672, after his first wife's death. Urged by this shameless and avaricious woman to free himself from all suspicion of tutelage, he ended by quarrelling with all his most intimate friends. The first to leave him were Sir Robert Moray and Lord Tweeddale, and ultimately Lord Kincardine was also alienated. As their influence declined, Lauderdale gradually fell away from the policy of toleration which he had adopted, partly at their instigation, partly to

[1] *Lauderdale Papers*, ii.. 174, 176; Mackenzie, *Memoirs*, p. 181.
[2] See Burnet i., 436.

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humiliate Burnet and the other Scottish bishops, and partly because it fell in with the king's inclinations in England.[1]

The change in Lauderdale's attitude was first disclosed when he returned to Scotland to open a second session of the parliament on July 22, 1670. He found the assembly almost as servile as before, but his measures were much more hostile to the presbyterians. The chief statute of the session was what Lauderdale himself called the "clanking act against conventicles,"[2] which was passed for a period of three years. An unlicensed minister who should preach or pray, except in his own house and to his own family, was to be imprisoned until he should find caution of 5,000 merks. Attendance at such a conventicle involved a fine, imprisonment till it was paid, and "further during the council's pleasure". But this was mildness itself compared with the treatment of field conventicles, which included meetings in houses where any should stand outside the door or windows. The preachers at such conventicles were to be punished with death and confiscation, the worshippers with double fines. Indemnity was assured for any bloodshed which might take place in their dispersal.

Many people believed that the acts of 1670 were too severe to be enforced, and that their object was to pave the way for a bargain with the covenanters. They were encouraged in this view by the attendance in parliament of Leighton, and by his redoubled efforts after the session to find terms for a lasting ecclesiastical peace. Gilbert Burnet with five other eloquent and moderate churchmen were sent round the western diocese to preach the merits of a restricted episcopacy, and to maintain that men who recognised the authority of a moderator should have no insuperable objection to a permanent moderator appointed by the crown. But their arguments made little impression upon men who were wedded to the principle of parity among ministers. The scheme of accommodation was loathed by extremists upon both sides, and no statesman was sufficiently convinced of its merits to force it upon the country. At a final conference in February, 1671, the indulged ministers rejected the concessions which Leighton had suggested. "Thus was this treaty broke off," says Burnet, "to the amazement of

[1] See an important letter from Moray in *Lauderdale Papers*, ii., 170.

[2] *Lauderdale Papers*, ii., 200.

all sober and dispassionate people, and to the great joy of Sharp and the rest of the bishops."[1] CHAP. IX.

Meanwhile the negotiations for union had been abandoned. Both parliaments in 1670 had authorised the king to nominate commissioners, and for two months, from September to November, conferences were held at Somerset House. But there was no great eagerness on the English side, and none at all on the Scottish. To the English demand as to how many representatives Scotland would claim in the united parliament, Lauderdale and his colleagues replied that if the two parliaments were united, then, of course, the whole Scottish members would be combined with those from England and Wales. This was enough to show that no real progress could be made, and the king dismissed the commissioners until circumstances should be more favourable.[2] Lauderdale had successfully evaded this difficulty and appeared to be as high as ever in the royal favour. In 1671 he was made president of the privy council in Scotland, and soon after his marriage to Lady Dysart he was created Duke of Lauderdale, on May 2, 1672.

In June, 1672, a third session of the Scottish parliament was necessitated by the outbreak of the Dutch war. Lauderdale's impatience with the continued obstinacy of the covenanters was evidently on the increase. Baptism by lawful ministers was made compulsory within thirty days. Illegal ordination was to be punished by confiscation, with either banishment or perpetual imprisonment. The act against conventicles was renewed for another three years, "and longer as his Majesty may be pleased to appoint". In order further to divide the malcontents, a second indulgence was issued by the council on September 3. About eighty ministers, many of them in pairs according to a suggestion of Gilbert Burnet, were allotted to fifty-eight parishes, and were allowed under strict limitations to conduct public worship.[3] But, although Lauderdale was still master of parliament, and was even allowed to fill vacancies in the articles by nomination, serious discontent was aroused by his undisguised dictation and by the meddling greed of the new duchess. Men declared that there were now

[1] Burnet, i., 524-30.
[2] Mackenzie, *Memoirs*, pp. 193-212.
[3] Wodrow, ii., 204; Burnet, ii., 605.

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two commissioners instead of one.[1] This ill-feeling had grave consequences in the next year.

The year 1673 is almost as important in the history of Scotland as in that of England. In the southern kingdom the Cabal administration was broken up by the rejection of the declaration of indulgence, and by the passing of the test act. In Scotland Lauderdale found his edifice of absolute power threatened by a coalition of nobles whom he had alienated by the concentration of authority in his own person, and by his bullying treatment of all opponents. Gilbert Burnet warned him in September that "the commons in the southern parts were all presbyterians; and the nobility thought they were ill-used, were generally discontented, and only waited for an occasion to show it".[2] Lauderdale, however, refused to believe this, and set off to hold a fourth session of the Scottish parliament in November, confident that his manipulation of the constitutional machinery would enable him to maintain the royal favour, and to defeat the threatened attacks of the English house of commons. But no sooner had the king's letter been read, than a perfect babel of opposition arose in the once submissive assembly. The whole scene had been carefully planned beforehand, and Lauderdale was probably justified in his suspicions that the crafty advice of Shaftesbury was responsible both for the unanimity and the ingenuity of the opposition.[3]

The Duke of Hamilton began by urging that the redress of grievances must precede all other business. Then followed complaint after complaint. One speaker denounced the duties on salt, brandy, and tobacco, which the king had been allowed to regulate by an act of 1663. Another "fell upon the war and said it was only for the benefit of England". The laird of Polwarth attacked the committee of the articles, and declared that as long as it continued there could be no free parliament. "With this," says Burnet, "the Duke of Lauderdale was struck, as one almost dead; for he had raised his credit at court by the opinion of his having all Scotland in his hand, and in a dependence on him: so a discovery of his want of credit with us he saw must sink him there."[4] Lauderdale

[1] Mackenzie, *Memoirs*, p. 220. [2] Burnet, ii., 26.
[3] *Lauderdale Papers*, ii., 245, iii., 5, 9; Burnet, ii., 39.
[4] Burnet, ii., 39.

himself owned, in a letter which was intended for the king's eye, that he had met with such a spirit as he had never expected to have seen in a Scottish parliament.[1] He began by trying to browbeat his opponents, and moved that Polwarth's words should be taken down. But he soon found that the "party," supported as it was by his old ally, Tweeddale, was too strong to be easily overawed. The king's letter remained unanswered, while Lauderdale held conferences with his opponents, and promised to redress their minor complaints.[2] CHAP. IX.

But these concessions proved of no avail. Whenever the parliament met there were murmurings against the excessive power of the articles, against the royal selection of judges, and against the alleged tampering with the purity of the coinage. It was only by constant adjournments that the commissioner averted a serious encroachment upon the prerogative. Meanwhile his enemies proceeded to London to lay their case before the king, and to concert measures with the English opposition. Kincardine followed them to defend his ally, but his letters prove that he found the task no easy one to discharge. Charles waited to watch the proceedings of the English commons, and some weeks elapsed before he finally decided to give no countenance to a party which had adopted in the Scottish parliament the unfamiliar tone and procedure of its English namesake. Lauderdale received instructions first to prorogue and then to dissolve the assembly, which had no successor as long as he remained the intimate adviser of the king. He returned to England to be made Earl of Guilford in the English peerage, and to receive a pension of £3,000 a year.

In spite of these signs of royal favour, the session of 1673-74 was a serious rebuff to Lauderdale. The minister who had boasted that the king could do what he pleased in a Scottish parliament, had to profess himself "readier than all your enemies to rid you of the trouble of Scots parliaments, which I swear are now useless at the best".[3] He must devise some means of strengthening his position. In some ways the best and perhaps still the most congenial policy was to come to terms with the presbyterians. But it was impossible to combine

[1] *Lauderdale Papers*, ii., 241.
[2] *Ibid.*, ii., 246; Mackenzie, *Memoirs*, p. 258.
[3] *Lauderdale Papers*, iii., 36.

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this with his position in England, where he was now associated with Danby in conciliating the cavalier party. And so he was almost driven to adopt the alternative policy of persecution, which would secure for him the support of the bishops, and which his enemies could hardly oppose without thereby enabling him to accuse them of disloyalty. His decision alienated Kincardine, the last of his original friends, and it ultimately involved Scotland in civil war. Leighton refused to witness the inevitable results, resigned the archbishopric of Glasgow in December, 1674, and retired to England. It is significant of the altered policy of Lauderdale that Alexander Burnet, who had been driven from Glasgow on account of his opposition to the indulgence, was now invited to return to his see.

The systematic suppression of conventicles, relaxed since 1667, began again in the course of 1674. The council was provided with ample powers under the "clanking act" of 1670, but it did not hesitate to reinforce them by the revival of antiquated statutes. In 1675, the famous "letters of intercommuning" were issued against all who aided or associated with the outlawed conventiclers. The recipients of these letters were cut off from all intercourse with their neighbours. Troops were sent into the disaffected districts to enforce these harsh measures with the old methods of fines and quarterings. One Carstares, an informer in the service of Archbishop Sharp, arrested a presbyterian preacher named Kirkton in the streets of Edinburgh without a legal warrant. Robert Baillie of Jerviswood, who aided Kirkton to escape, was called before the council, fined £500, and imprisoned for a year. Hamilton and Kincardine, who ventured to argue in his behalf, were removed from the council as disloyal enemies to the Church.[1] In December, 1677, the bishops drew up a series of suggestions as to the most efficient means of putting down the covenanters. Following these suggestions, the council demanded that all landholders in the western counties should enter into bonds for themselves, their families, servants, and tenants, that they would not attend conventicles, nor harbour any unlicensed preachers or intercommuned persons. The landlords represented that it was

[1] In 1676 Kincardine went to London to protest against Lauderdale's rule, *Buccleugh MSS.*, p. 217.

impossible to assume such responsibility, and that if they did, a single disaffected servant or tenant could ruin them. "This," says Burnet, "put Duke Lauderdale in such a frenzy, that at council table he made bare his arm above the elbow, and swore by Jehovah he would make them all enter into these bonds."[1]

To carry out his threat, an army of 10,000 men, of whom 6,000 were Highlanders, regarded in the Lowlands as alien barbarians, was sent into the west with orders to exact the bonds and to disarm the population. They were allowed to quarter themselves without payment upon any household which was not protected by special letters from the council. This brutality led Hamilton and his associates to make another journey to England in order to lay their protest before the king.[2] Although Charles declared that the acts of the Scottish council were not contrary to the law, Lauderdale deemed it more prudent to dismiss the Highlanders, who returned home laden with booty as if from a successful foray. While these events were going on in the west, public attention in Edinburgh was concentrated on the trial of Mitchell, who ten years before had attempted the assassination of Sharp. At his first appearance before the council in 1674 he had confessed his guilt, on receiving a promise that his life should be spared. Since then he had been kept in close confinement, but at the urgent request of Sharp he was brought up for trial on the original charge. When his advocate pleaded the assurance of life which had been given to extort his confession, several of the councillors perjured themselves by denying on oath that such a pledge had been given; and Mitchell was sent, in Lauderdale's brutal words, to "glorify God in the Grassmarket".[3]

In 1679 the rebellion, which clear-sighted observers had seen to be inevitable, broke out. The first act of the drama was unpremeditated. A number of desperate men were collected on Magus Muir, three miles from St. Andrews. Their object was to punish a man named Carmichael, who had made himself detested as an informer. On May 3, just as they learned that their intended victim had escaped, they discovered in an approaching carriage the still more hated Archbishop Sharp,

[1] Burnet, ii., 145; *Lauderdale Papers*, iii., 89.
[2] *Buccleugh MSS.*, p. 236. [3] Burnet, ii., 141.

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The news that the persecutor had been smitten at Drumclog sent a thrill of exultation through south-western Scotland, and hundreds of resolute men made their way to Hamilton, which became the head-quarters of the insurgents. Under a capable leader, such as the James Wallace who had headed the hopeless rising of 1666, these forces might have offered a formidable resistance. But Robert Hamilton, a young man whose superior social rank had given him precedence at Drumclog, had no single qualification for command except enthusiasm. Instead of preparing military plans and giving some training to the excellent fighting material at their disposal, the leaders wasted their time in wrangling with each other as to the precise relations between Church and State, and whether it was sinful or not to consort with men who had accepted the indulgence. While they were engaged in these futile and divisive debates, the royalist army of 15,000 men encamped on the farther side of the Clyde. The command was entrusted to Monmouth, who had received on his

[1] *Lauderdale Papers*, iii., 164-65.

marriage the Scottish dukedom of Buccleugh.[1] The rebel position was a strong one as it could only be approached by a narrow bridge leading to Bothwell which had a fortified gate-way in the middle. Even if the defence of the bridge were rendered impossible by the royalist artillery, it should have been easy to crush the small stream of soldiers as they crossed. As a matter of fact, on June 22, Hackston of Rathillet, who had been present at the murder of Sharp, actually held the bridge with a small force as long as his ammunition lasted. When that gave out, and no attention was paid to his demands for further supplies, he was forced to fall back, and from that moment the soldiers of Monmouth were allowed to cross the bridge with little molestation. Once this obstacle had been overcome, all hope of resisting superior numbers and arms was abandoned, and the insurgents fled in all directions.[2] Some 400 fell in the engagement and the flight, and nearly 1,200 were carried as prisoners to Edinburgh.

Monmouth, the champion and favourite of the English dissenters, hastened after his victory to London to demand the lenient treatment of men who had been misled by religious zeal rather than by deliberate disloyalty. Charles, who had enough to do with the excitement in England over the popish plot, and had no desire to prolong the contest in Scotland, agreed to grant an indemnity and a new indulgence. But the Scottish council, though it so far bowed to the royal wishes that fewer men were executed after Bothwell Brig than after Rullion Green, showed little humanity in their treatment of the captives. As there was no prison large enough to hold them, they were herded together in Greyfriars churchyard, and kept there through the rigour of an Edinburgh winter with no protection but hastily constructed wooden sheds. Two ministers were put to death in the capital, and five men were sent to St. Andrews in order that the archbishop might be avenged by their execution on Magus Muir. With this rather heathen sacrifice the actual bloodshed ceased, but it was long before the other prisoners knew their fate. At last the majority were allowed to return home on taking an oath to observe the peace. But some 200 dogged covenanters refused

[1] *Register of the Privy Council of Scotland*, third series, i., 409.

[2] *Lauderdale Papers*, iii., 171-73; Burnet, ii., 240.

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to give any pledge to an ungodly government. These men were finally shipped to the West Indies, their vessel was wrecked off the Orkneys, and most of them perished in the waves.

All prospect of the permanent adoption of a conciliatory policy by the alliance of Monmouth with Hamilton, Kincardine, and other opponents of Lauderdale, came to an end in the autumn of 1679, when the king's illness was followed by the Duke of York's sudden return to Windsor, and a little later by the dismissal of Monmouth from all his offices, including the Scottish command. It is true that James was compelled against his will to retire from England, but he was allowed to exchange Brussels for Edinburgh as his place of exile. Immediately on his arrival in Scotland, he insisted upon occupying a seat in the council without taking the oath which had been prescribed by Middleton's parliament in 1661.[1] But in most respects his conduct in the north showed both prudence and ability.[2] He set himself to compose the feuds among the nobles which had weakened the government since 1672, and no one can question his success. The prospect of royal favour had always been extremely tempting to Scottish nobles, and men who had stood up boldly against the bullying of Lauderdale, did not venture to dispute the ascendency of the heir to the throne. Lauderdale himself could not, even under altered conditions, have maintained his power. His reputation as the successful maintainer of orderly monarchical government was ruined by the rising of 1679,[3] as the credit of Rothes and Sharp had been ruined by the rebellion of Rullion Green. And his health was broken by constant excesses. A stroke of apoplexy sent him to the waters of Bath, and in October, 1680, he resigned the secretaryship which he had held for twenty years.

The downfall of Lauderdale, though it helped James to come to an understanding with Hamilton and Tweeddale, made little difference in ecclesiastical matters. Neither by nature nor by interest was James inclined to follow the policy of Monmouth. The promised indulgence was evaded, and though the duke himself returned to England early in 1680,

[1] *Lauderdale Papers*, iii., 181; Clarke, *Life of James II.*, i., 576-78; Campana de Cavelli, i., 311.

[2] Campana de Cavelli, i., 312; *Dartmouth MSS.*, p. 41.

[3] Henry Savile anticipated this on July 5, 1679, *Savile Corr.*, p. 105.

his wishes continued to influence the conduct of the Scottish council. Sir Thomas Dalziel, who succeeded Monmouth in the command of the troops, resumed the task of dragooning the west into obedience. His most famous lieutenant was Claverhouse. The only overt opposition came from the most extreme sect of the Presbyterians, who called themselves the "Society men," but were known by opponents as Cargillites or Cameronians from their most influential preachers, Donald Cargill and Richard Cameron. On June 22, 1680, these men issued the famous Sanquhar declaration, in which they formally renounced all allegiance to Charles Stewart.[1] A month later, a number of insurgents were surprised at Ayrsmoss near Auchinleck in Ayrshire. Cameron, of whom so little is known that it is difficult to understand how he came to give his name to a sect and also to a regiment, fell in the skirmish, and Hackston of Rathillet, who was among the prisoners, met with short shrift at Edinburgh. Cargill, exasperated by the fate of his associates, issued a comprehensive excommunication in the most denunciatory terms against the king, the Duke of York, Monmouth, Lauderdale, Rothes, Dalziel, and Sir George Mackenzie, the lord advocate who had conducted all the recent prosecutions. The search for the bold outlaw was more strenuous than ever, and after his capture at Covington he was condemned and executed. The struggle in the west henceforth degenerated into that most horrible of contests in which a minority can be crushed only by extermination.[2] On neither side was there any sign of mercy or pity. The outcasts openly declared that they would give no quarter to their pursuers, and if they were captured and refused to abjure their principles, they had to undergo the fate which they were prepared to inflict.

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Meanwhile the Duke of York, after spending some months in England, had been driven to return to Scotland in the vain hope of disarming his opponents in the English parliament. He was naturally eager to parade the superior loyalty of the northern kingdom, and also to render absolutely secure in Scotland those rights of hereditary succession which had been

[1] Wodrow, iii., 213.

[2] See the letters from Claverhouse to Queensberry, in *Buccleugh MSS.*, pp. 264-94.

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rudely assailed by the English whigs. A third parliament was summoned to meet on July 28, 1681, and James was appointed to represent his brother as commissioner. The reaction in favour of the monarchy, which was so evident in England after the dissolution of the Oxford parliament, could not but influence elections in Scotland, and the parliament was in the main as responsive to the commissioner's control as those which had met under Middleton and Lauderdale. The leader in the committee of the articles was Sir George Mackenzie of Tarbat, the hero or villain of the billeting episode of 1662, who had returned to prominence with the adoption of a repressive policy in Church matters.

The first act of the parliament was to ratify all former laws for the security of the protestant religion, and the commissioner hastened to prove his impartiality by touching it with the sceptre. By this means he disarmed all opposition to the act of succession, which was in his eyes the most vital measure before the house. In terms which were deliberately intended to be an answer and rebuke to the English advocates of exclusion, the Scottish act asserted that "upon the death of the king or queen who actually reigns, the subjects of this kingdom are bound by law, duty, and allegiance to obey the next immediate lawful heir, either male or female, upon whom the right and administration of the government is immediately devolved; and that no difference of religion, nor no act of parliament made or to be made, can alter or divert the right of succession or lineal descent of the crown to the nearest and lawful heirs". On August 31 the parliament imposed a test upon office-holders in Church and State and also upon electors and members of parliament. The extraordinary combination of requirements contained in the test serves to illustrate the divergent interests which it was desired to conciliate. It prescribed the acceptance of the "true protestant religion contained in the confession of faith recorded in the first parliament of King James VI." (1567), which no Roman catholic and few sincere episcopalians could accept. But it proceeded to demand pledges which were even more distasteful to presbyterians; the repudiation of the covenants, the acknowledgment of the royal supremacy, and the acceptance of the doctrine of passive obedience. These were the essential

clauses, and Burnet ingeniously remarks that "that article of the protestant religion was forgiven for the service that was expected from the other parts of the test".[1] CHAP. IX.

The incongruous character of the test is proved by its results. It was refused by a considerable number of the episcopalian clergy, but it served to remove from the presidency of the court of session Sir James Dalrymple, who had been associated with the more tolerant policy of Lauderdale's earlier administration, and also to ruin the Earl of Argyle. From his first arrival in Scotland James had set himself to conciliate the highland chieftains, who had reason to resent the monopoly of political power by the nobles of the lowlands. Argyle had obtained the restitution of his earldom and of the bulk of his father's estates by the favour of Lauderdale, and had at one time been regarded as among the foremost of Lauderdale's adherents. But his attachment to the secretary had been weakened of late years, and the ties of family tradition bound him at any rate to a partial alliance with the presbyterian cause. By the Duke of York he had been regarded with disfavour from the first, and James was conscious that nothing would do more to conciliate the highland nobles to the crown than the overthrow of the Campbell chieftain. Argyle took the test, but with the qualification "as far as it was consistent with itself and with the protestant religion". For this he was imprisoned, and after a monstrously unfair trial, was condemned to death for treason and leasing making.[2] There was probably no intention of carrying the sentence into effect, but the earl refused to trust his enemies and succeeded in making his escape to Holland.

The parliament of 1681 was the last of the reign in Scotland, as that of Oxford was the last in England. The monarchy was apparently triumphant in both countries. The small body of recalcitrant covenanters could hardly be regarded as a serious danger, and their numbers were steadily reduced by the operations of Dalziel and Claverhouse. No doubt in both countries there was a considerable element of political discontent, but it was hardly capable of making a formidable rebellion. The English whigs, reduced to impotence by the discovery of the Rye House plot,[3] and the

[1] Burnet, ii., 313. [2] Fountainhall, *Historical Observes*, p. 54.
[3] See below, pp. 225 *seqq*.

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Scottish malcontents, who had been in correspondence with Lord Russell and his associates, were equally checkmated and discouraged. William Carstares, the son of a remonstrant minister who had been engaged in the Pentland rising, was an active agent in the negotiations between the two countries and the exiles in Holland. He was captured in Kent, and after an examination before the council in London was sent to Edinburgh to experience harsher methods of inquiry. The torture of the thumbscrew extracted from him a deposition which revealed the general character of the plot. But the only victim to be found on Scottish soil was Robert Baillie of Jerviswood, who had long been regarded with suspicion by the dominant party. In spite of his age and failing health he was tried and executed on December 24, 1684. The experience of a new reign was to show whether Scotland was loyal or submissive enough to allow unrestrained authority to be exercised by a popish king.

CHAPTER X.

THE LAST YEARS OF CHARLES II.

THE conclusion of the verbal treaty between Charles and Louis XIV., and the dissolution of the Oxford parliament mark a decisive and to some extent a final turning-point in the history of the reign. They were almost as important to Europe as to England itself. As long as Charles refused to summon another parliament and was content to supplement his deficient revenue by a French pension, English foreign policy was paralysed. Without the assurance of English support, the opponents of Louis were afraid to risk a conflict with the overwhelming military strength of France. Thus, by controlling the action of Charles, Louis was free from the one danger which he dreaded, the formation of a general coalition of his enemies. The dissolution of the English parliament encouraged him to undertake those enterprises which alarmed and astounded Europe in 1681; the seizure of Strassburg, the purchase of Casale from the Duke of Mantua, and the blockade of the famous fortress of Luxemburg. At the same time he commenced that systematic persecution of the French Huguenots which was as direct a defiance to England and Holland as his preposterous territorial claims. It was the more exasperating to England because it was openly asserted in France to be a well-deserved act of retaliation for the recent ill-treatment of the English papists.[1]

At home the results were of fully equal importance. The whigs were defeated and discouraged: the tories were loudly triumphant. The reaction after the excitement of the popish plot and the exclusion bill was as strong as that against the military rule of the protectorate. There can be no doubt of the genuineness of the change of public opinion. From every

[1] *Savile Correspondence*, pp. 97, 209.

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To contemporaries, however, the events of the spring of 1681 hardly assumed the same proportions as they do to later and more fully informed observers. The secret of the French treaty was sedulously and successfully kept. The ambassadors of Holland, Spain, and the Emperor continued to urge the adhesion of England to an anti-French coalition, and though their suspicions were from time to time excited, they were over and over again led into complacent anticipations of success by the untruthful evasions of Charles and Hyde, and by the more honest assurances of the other ministers, who were equally duped by their royal master. And the intention of establishing absolute government was for a time almost as carefully

[1] Luttrell, i., 252. The phrase applies to the Londoners in 1683, but Luttrell says (i., 199) that the rest of England, in contrast to London, was already tory.

[2] *Ibid.*, p. 120.

[3] *Hatton Corr.*, ii., 10.

concealed as the contract which prevented England from joining the allies. The Duke of York was eager to get rid of the "timorous counsels" of Halifax and to turn out "Godolphin and all the rotten sheep,"[1] but the duke, to his immense chagrin, was carefully kept in Edinburgh, and was not allowed to return to the English court till a year after the Oxford dissolution. For that year, at any rate, there was an apparent, and perhaps a real, uncertainty as to the policy of the English government.

There were three lines of conduct with regard to home affairs between which Charles had to choose. The first and most obvious was to return to the schemes of Danby; to ally the monarchy with the Church, to persecute all dissenters and recusants, and to adopt a popular foreign policy in opposition to France. Such a scheme was in large measure congenial to Laurence Hyde, who succeeded to his father's position as the secular leader of the Anglican party. It commended itself with less reserve to Sir Edward Seymour, an aristocratic tory who was now prominent in the royal council, and to Sir Leoline Jenkins, the more active of the two secretaries of state. A variant of this scheme was to adopt a conciliatory policy all round; to release Danby and the popish lords who were still imprisoned in the Tower, to relax the laws against the dissenters, and thus to gain over all but the most violent whigs, who would become impotent in their isolation. This seems, so far as his inscrutable mind can be penetrated, to have been the policy of Halifax. The two schemes had so much in common that either of them would have enabled the king to summon a parliament with a reasonable certainty of substantial support. But neither scheme suited the temper of James, who believed that no monarchy could be dependent upon parliament and remain a monarchy.[2] So far as he could guide the king, he would maintain the French alliance as the best safeguard of the prerogative, would inflict the severest punishment upon all opponents, and would employ the restored authority of the crown to favour the down-trodden Roman catholics.

In the end, as the result of an alliance between James and

[1] *Dartmouth MSS.*, pp. 57-58, 60; Campana de Cavelli, i., 357-58.
[2] *Savile-Foljambe MSS.*, p. 134.

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Hyde, Charles adopted a combination of the first and third plans. On the one hand, he gained the enthusiastic support of the Church, which formally committed itself to the doctrine of passive obedience, he abandoned all attempt to obtain relief for the protestant dissenters, and he gave no great concessions to the papists. On the other hand, he maintained the alliance with France, refused to summon a parliament even at the expiry of the legal interval of three years fixed by his own statute in 1664, took an exemplary revenge on the chief supporters of exclusion, and to do this packed the bench and crushed municipal independence.

It is not difficult to explain the vacillation which characterised both home and foreign policy during the twelve months which elapsed before Charles made up his mind, or before he felt strong enough, to adopt a definite course of action. Laurence Hyde, the only survivor of the "Chits" after the dismissal of Sunderland and the judicious self-effacement of Godolphin, was for a few weeks the most prominent minister of the crown. His services were rewarded in April, 1681, with a viscounty, which he exchanged later in the year for the earldom of Rochester. But Hyde was a tory, and the victory over the exclusionists had been won, not by the tories alone, but by a coalition of tories and moderate whigs. As so often happens in coalitions, the section which actually turned the scale, though inferior in numbers to its allies, held for the moment a commanding position. Charles showed his appreciation of the party balance by summoning Halifax from Rufford, and for the next five years the eloquent "trimmer" became a sedulous attendant at court.[1] Although he held no office until he received the privy seal in October, 1682, he was at once recognised as the leader in the royal council, and Sir John Reresby, a shrewd judge of his own interests, hastened to assure the new favourite[2] of the same docile devotion as he had already displayed to Danby. Now Halifax, though he had helped the tories to victory, was no tory himself, nor, though he had rendered an immense service to James, was he

[1] He went so far as to pay court to the Duchess of Portsmouth, which he had previously refused to do, *Hatton Corr.*, i., 11. Compare Reresby, p. 224.

[2] Reresby, pp. 215, 218; compare *Lindsey MSS.*, p. 435.

by any means an enthusiastic "Yorkist".[1] Both in principle and in political temperament he differed from Rochester, and the history of the next four years is filled with the more or less avowed antagonism of the leaders of the two wings of the coalition. Their rivalry, combined with the dissimulation which had become a second nature to Charles, goes far to explain the apparent inconsistencies and hesitation of the government. CHAP. X.

Home and foreign politics continued to be closely connected, because the course of both depended upon the ultimate decision to summon or to dispense with a parliament. The general outlines of the continental problem were unaltered. The opponents of Louis XIV. were strengthened by the addition of Charles XI. of Sweden, who proposed in 1681 a general league to guarantee the treaties of Westphalia and Nimeguen. This league England was invited to join. Charles was still bound by his treaty of June, 1680, with Spain, and English public opinion was as hostile to France as ever. On the other hand, he was indignant with the confederates, and especially with the Dutch, for their efforts in 1680 to drive him into acceptance of the exclusion bill. He was also tied to France by pecuniary obligations and by his reluctance to call a parliament, "devils," as he said to Barillon, "who desire my ruin".[2]

The difficult task of overcoming Charles' reluctance to break with France was undertaken in the summer of 1681 by William of Orange in person. After employing Henry Sidney to sound Temple and Godolphin as to the advisability of the journey,[3] William obtained leave to visit England, and arrived at Windsor on July 24. The interview between uncle and nephew excited serious misgivings in the minds of Louis XIV. at Versailles and of James in Edinburgh. But Charles, who had no intention of joining the league, made merciless use of

[1] For James' rooted distrust of Halifax, see his letters to the future Lord Dartmouth in *Dartmouth MSS.*, pp. 30-74. Many of the letters are mis-dated and misplaced. See also Campana de Cavelli, i., 358.

[2] Barillon, Dec. 22, 1681, Dalrymple, ii., App. i., p. 15.

[3] A letter from Sidney to William (dated June 28, 1681) gives an interesting estimate of the various interests and influences at the English court. It is printed in Sidney's *Diary* (ed. Blencowe, 1843), ii., 212-19, and in Dalrymple, ii., App. i., pp. 9-13.

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the dialectical advantages offered by William's double position as a member of the English royal family and as chief magistrate of a state whose vital interests were threatened by French encroachments in the Netherlands. A meeting of parliament was urged by William as a necessary preliminary to an active foreign policy. But he could not evade his uncle's arguments that parliament could only be conciliated, either by exclusion, which William professed to abhor, or by crippling restrictions upon the monarchy, which would be even worse; and that a hostile parliament would do more harm than good.[1] A visit to his whig friends in the City, where the sheriffs offered him a public dinner, was cut short by a hasty recall to Windsor.[2] After further conferences, in which Hyde, Halifax, and Seymour took part, an assurance was given that Charles would join in remonstrances to France, and that if the Netherlands were attacked he would summon a parliament. Charles excused himself to Louis and to Barillon by pleading the necessity of deluding his own ministers and the allies in order to conceal his secret agreement with France. William was for the time completely deceived, and he reported to the States General on his return that no such agreement existed.

During the next few months Charles found himself hard pressed in carrying on the double game which he had undertaken.[3] The memorial to Louis XIV. promised at the Windsor conference was drawn up by Halifax, approved by the States General, and duly presented by the English and Dutch ambassadors.[4] How little impression it produced at Versailles was proved when the news arrived that Strassburg had been surrendered to the French on September 18, and that Casale had been handed over by the Duke of Mantua two days later. It might be pleaded that Strassburg and Casale were distant towns, that their surrender was voluntary, and that no direct interest of England was involved. But it was quite a different matter when Louis demanded the Duchy of Luxemburg as an equivalent for various French claims in the Netherlands, and threatened to send troops for its occupation. For generations

[1] Clarke, *Life of James II.*, i., 691.

[2] *Ibid.*, p. 692; *Hatton Corr.*, ii., 4, 6.

[3] For a full account of the subsequent negotiations, see Foxcroft, *Halifax*, i., 314-50.

[4] *Savile Corr.*, pp. 223-28.

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the exclusion of France from the Netherlands had been regarded as a primary duty of England. Even in the verbal agreement with Barillon of March 10 it had been specially stated that Louis would abstain from aggression in Flanders. On October 16 Van Beuningen, who had been sent on a special mission from the Hague, presented a formal request that England would join in resisting French aggression. After much discussion the cabinet drew up an answer, which had been secretly submitted to Barillon by the king and Rochester.[1] Charles undertook to join the league, as soon as it received the adhesion of the Emperor and the chief princes of Germany—a condition not likely to be satisfied—and promised that, if the French pressed their claims in the Netherlands *par voye de fait*, he would convene a parliament in order to be able effectively to assist his allies.

This answer was handed to Van Beuningen on November 8. The Spanish and Dutch envoys were exultant. When in December French troops actually blockaded Luxemburg, it seemed that Charles would be forced to fulfil his promises.[2] If this was not a *voye de fait*, the words had no meaning. Charles and Rochester, the two accomplices in the agreement of March 10, turned in despair to Barillon. Charles urged that France had promised not to meddle with the Low Countries, that if Louis persisted in his claims, a meeting of parliament would be inevitable, and that this would disconcert all the measures he had taken in the French interest. Rochester added that the meeting of parliament would ruin the Duke of York, and that France would thereby lose far more than it could gain by taking Luxemburg.[3] But Barillon had instructions to remain firm, and he knew with whom he had to deal. The offer of an additional million francs removed all Charles' scruples and most of his fears. Not only did he undertake to withdraw all opposition to the French acquisition of Luxemburg, but with immoral ingenuity he suggested that, if he were accepted as arbiter, he would be able in that capacity to award Luxemburg to his paymaster.[4]

[1] Dalrymple, ii., App. i., p. 13.

[2] James thought that Halifax and the foreign envoys might "wheedle us into war," *Dartmouth MSS.*, p. 44.

[3] Dalrymple, ii., App. i., pp. 15-21.

[4] *Ibid.*, App. i., pp. 21, 33.

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The receipt of a second bribe compelled Charles to wriggle out of his obligations to the Dutch as best he could. A new joint memorial was elaborately drafted, sent for approval to the Hague, and thence to Versailles for presentation.[1] Louis joined in the game of procrastination by demanding separate representations from the two powers,[2] and by suggesting that if Luxemburg were not ceded, its fortifications should be dismantled.[3] Charles went so far as to support this as a reasonable compromise, but the Dutch refused to make so degrading a proposition to their Spanish ally, and insisted that the English king should fulfil the definite assurances which he had given in November. Halifax and his colleagues had hard work to find excuses for their master's evasive policy, to which none but Rochester held the key, and of which most of the ministers disapproved. At last Louis came to Charles' rescue, and a new act of the discreditable comedy was opened. In March, 1682, with a fine parade of magnanimity, Louis announced that, in view of the threatened invasion of the Emperor's dominions by the infidel, he would withdraw his troops from Luxemburg, and submit the whole of his claims in the Netherlands to the arbitration of the English king. Halifax, ignorant of the secret understanding with Barillon, expressed his belief that a diplomatic victory had been won, and that France had deferred to the representations of the English government. But what had really happened was that Charles was freed from the risk of a rupture with France and from his promise to summon a parliament, and that he and his brother were enabled to adopt a frankly reactionary policy.

During these twelve months of tortuous and deceitful diplomacy, affairs at home had been affected by equally divergent influences. If the vacillation seems less conspicuous, it is because the reaction against the whigs was so strong that even Halifax was carried away by it. The new temper of the administration after the dissolution of 1681 was speedily apparent. Oates was deprived of his pension, driven from his apartments in Whitehall, and forbidden to approach the court.[4] Fitzharris was tried, condemned, and executed, in defiance of the contention that no inferior court could meddle with a case

[1] *Savile Correspondence*, p. 249.
[2] *Ibid.*, pp. 254-56.
[3] *Ibid.*, p. 266.
[4] Luttrell, i., 119.

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which had been brought by the impeachment of the commons before the lords. Steven Colledge, a humble but vehement whig, who had gained notoriety during the popish plot as "the protestant joiner," was brought to trial for the utterance of treasonable sentiments during the last parliament. When a London grand jury threw out the bill against him, he was carried to Oxford where his words had been spoken and where it was easy to obtain his conviction.[1] A still greater sensation was caused when, on July 2, Shaftesbury was brought before the council and committed to the Tower. Among his papers was found a draft of the association which it had been proposed to form for the defence of the protestant faith against the accession of a popish king.

But these measures, startling as they were in contrast with the proceedings of the past two years, were accompanied by others which showed more regard for popular prejudices. Oliver Plunket, the Roman catholic archbishop of Armagh, was charged with complicity in a supposed Irish plot, which Shaftesbury had brought into prominence when the disclosures of Oates were beginning to pall, and though the evidence against him was at least as dubious as that against the English papists, he was sent to the the scaffold on the same day as Fitzharris.[2] Magistrates received orders to continue their zeal in presenting popish recusants, and the French protestants who fled from the persecution of Louis XIV. received a warm welcome by express command of the king.[3] The Roman catholic peers, who had been in prison since 1678, were allowed to stay there on the ground that only parliament could revoke what parliament had ordered. The same argument was fatal to Danby's appeals for release. A conspicuous concession to public opinion was Charles' refusal to allow his brother to return from Scotland. Even more significant was the embassy undertaken by Laurence Hyde to Edinburgh in order to urge James to rejoin the Anglican Church or at least to feign external conformity. When the duke resolutely refused to palter with his convictions, Hyde did not hesitate to hint that his obstinacy might cost him his crown, and that unless he would comply with

[1] Burnet, ii., 296; Luttrell, i., 108, 110, 112, 117, 120, 123; *Letters of Humphrey Prideaux* (Camden Soc., 1875), p. 88.

[2] Luttrell, i., 104-5; Burnet, ii., 292. [3] Luttrell, i., 112-13, 125, 151.

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The moderate spirit to which these measures testified was not destined to prevail for long. On November 24 Shaftesbury appeared before a grand jury impanelled by the City sheriffs. In the dejection caused by ill-health and imprisonment the great opposition leader had offered to purchase a pardon by voluntary exile to Carolina.[2] This pusillanimous proposal, though it received the support of Halifax, found no favour at court, where the legal advisers of the crown were confident of obtaining a conviction for treason. But both they and Shaftesbury himself had failed to reckon upon the strong whig sympathies which still prevailed in London. In spite of the biassed charge of Chief Justice Pemberton, the grand jury returned the bill against Shaftesbury with the word "ignoramus" written on its back. Four days later he was released on bail, and Monmouth re-kindled the king's wrath by offering his surety for the man who had held out to him the prospect of a crown.[3]

The acquittal of Shaftesbury and the prospect of an endless series of "*ignoramus* juries" made a profound impression upon the king and his partisans. It brought home to them the fact that there was one important part of the judicial machinery of the country which was independent of royal control. There was no longer a Star Chamber to browbeat and punish recalcitrant jurymen, and a famous decision of Chief Justice Vaughan in the present reign forbade a judge to penalise a jury for giving a verdict against his direction. Thus it was little use to fill the bench with subservient judges if juries were to have complete independence and impunity. In the counties the sheriffs were appointed by the crown and could be trusted to put the right men on the panel.[4] But there was no such security in London and other great boroughs, where the sheriffs were annually elected. Municipal self-government had grown up in large measure under royal patronage. It now threatened to be a formidable obstruction to the power of the crown.

[1] *Life of James II.*, i., 699-701; *Dartmouth MSS.*, p. 67; Campana de Cavelli, i., 365. Halifax wrote to James to the same effect, Reresby: p. 244.

[2] Reresby, p. 219; *Hatton Corr.*, ii., 8; Luttrell, i., 136.

[3] Luttrell, i., 147, 150.

[4] For the careful selection of tory sheriffs, see Luttrell, i., 141.

The boroughs had been the stronghold of puritanism: and in spite of the corporation act of 1661, they were still the stronghold of the whigs. But it was not difficult for the legal advisers of the crown to devise a way out of the difficulty. What the crown had granted the crown might, if sufficient reason were found, take away. In December, 1681, a writ of *quo warranto* was obtained against the City of London to inquire into the tenure of its liberties. This was the beginning of the most formidable enterprise which the crown had undertaken since the fall of Charles I. With politic boldness the campaign against municipal independence was commenced by an attack upon the most ancient and most powerful corporation of the realm. If London could not defend its liberties, it was certain that lesser boroughs would have to truckle to the crown.[1] CHAP. X.

The decision to attack municipal charters was followed by the return of James. By a corrupt agreement with the Duchess of Portsmouth, who was eager to make amends for her short-sighted advocacy of exclusion and her subsequent intrigues with Monmouth,[2] he obtained leave to visit his brother at Newmarket, where he arrived on March 11, 1682. On the strength of an empty promise to abstain from intervention in political affairs, he was allowed to fetch his wife and daughter from Edinburgh and to resume his residence in London. The wreck of the frigate in which he returned to Scotland very nearly preserved England from the accession of a Roman catholic. But James and John Churchill, whose death would have been fraught with almost equal consequences, escaped to an attendant yacht and continued their journey in safety. Without loss of time the duke re-embarked with his wife and the Lady Anne, and on May 27 the York household was once more installed in St. James's Palace.[3] The exultation of his supporters and the depression of his opponents were increased by the news that Mary of Modena, whose offspring had hitherto died in infancy, was once more with child.

The return of James put an end to all hesitation in the

[1] Reresby, p. 266.
[2] *Dartmouth MSS.*, p. 60; Campana de Cavelli, i., 359; *Life of James*, i., 723.
[3] *Life of James II.*, i., 723-32; Luttrell, i., 189.

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foreign policy of England. On his first arrival at Newmarket Louis XIV. wrote to offer his felicitations, and to express his delight in feeling that henceforth the duke's "advice and firmness" would strengthen the alliance with France.[1] The withdrawal of the French troops from Luxemburg, and the rejection by Spain of English arbitration unless Charles would prove his sincerity by summoning a parliament, provided ample excuses for evading the inconvenient assurances given to the Dutch. The refusal of Brandenburg to join the Swedish league of guarantee destroyed the unanimity which Charles had declared to be a necessary condition of his own adhesion. Louis paraded his sense of security by occupying the principality of Orange on the ground that the house of Longueville had claims upon it. Unable to use his power as stadholder in favour of his private interests, or to get any efficient backing from England, William could only growl threats of future vengeance.

At home James' influence over his brother was even more decisive. All pretence of moderation was laid aside. Rochester at once acquired the ascendency which Halifax had hitherto successfully contested.[2] Tory sentiment was stimulated throughout the country by the promotion of loyal addresses expressing detestation of the scheme of association which had been disclosed at Shaftesbury's trial. The laws against the dissenters were once more actively enforced, and even in London conventicles were systematically suppressed.[3] To the intense annoyance of Halifax, Sunderland at last succeeded, through the mediation of Barillon and the Duchess of Portsmouth, in recovering the favour both of Charles and James. On July 26, 1682, he was allowed to kiss the king's hand and was soon afterwards admitted to the privy council. At the beginning of 1683 his former office of secretary of state was restored to him.[4] The influence of Halifax was thus seriously weakened, but he retained his place in the inner cabinet, and the king offered him no inconsiderable consolation by raising him to the rank of marquis in August, 1682, and by appointing

[1] Dalrymple, ii., App. i., pp. 44-45.

[2] Evelyn, Aug. 29 and Dec. 7, 1682: "lord Hyde now the great favourite".

[3] Luttrell, i., 190, 202, 245-46, 250; Burnet, ii., 334; Reresby, p. 256.

[4] Burnet, ii., 339-40; Luttrell, i., 210, 221, 247; *Buccleugh MSS.*, p. 171; Reresby, pp. 231, 234, 269; Campana de Cavelli, i., 359.

him in October to the office of lord privy seal in preference to Seymour.[1]

It is in the struggle to coerce the City of London that James' eagerness to exalt the royal authority was most conspicuous. As the legal procedure under the *quo warranto* was too slow and stately to satisfy the impatient duke, Secretary Jenkins with the help of Sir George Jeffreys, a boisterous barrister who had gained the favour of the court by his active support of the "abhorrers," devised a more direct method of obtaining the desired ends. It chanced that Sir John Moore, the lord mayor of the year, was a tory partisan. His election had been opposed by the whigs, but the division of their votes between two rival candidates had given Moore a majority.[2] On the other hand the sheriffs, Pilkington and Shute, were resolute whigs. It was determined to strain to the uttermost the ill-defined powers of the lord mayor. A tradition of civic courtesy in peaceful times had allowed him to nominate one of the sheriffs by formally toasting him at the bridge-house feast. This custom, which had fallen into desuetude, was now revived as an inherent right of the mayoral office. On May 18 Sir John Moore passed the cup to Dudley North, a Turkey merchant who had returned with a fortune from Constantinople. North was a man of ability and character, and holds an honourable place in the history of enlightened trade doctrines. His family was a remarkable one. His elder brother, Francis, was lord chief justice of the common pleas, and towards the close of 1682 received the great seal on the death of Lord Nottingham. In 1683 he was raised to the peerage as Lord Guilford. Another brother was Master of Trinity College, Cambridge. The youngest of the brothers, Roger, was the author of the *Lives of the Norths*, a classic among English biographies, and also of the *Examen*, the most powerful and elaborate defence of tory action in the later years of Charles II. Dudley North had had little experience of English politics, but his elder brother had convinced him of the falsehood of Oates' revelations, and had persuaded him to run the risk of stemming the tide of whig ascendency in London. He appeared before the court of aldermen and gave bond of his willingness to hold the office of sheriff for the ensuing year.[3]

[1] Luttrell, i., 232; Reresby, p. 269. [2] *Ibid.*, i., 129, 130.
[3] *Ibid.*, i., 186, 188.

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The quarrel which followed resolved itself into a duel between the lord mayor on one side and the sheriffs on the other, in which the former had the support of the privy council and of the law courts. The tories proposed to confirm the mayor's nominee and to elect a second sheriff. The whigs, determined to contest the mayor's right of nomination, put forward two candidates for the vacant offices. After several disorderly attempts to hold a poll, at which the mayor would only accept one vote, whereas the sheriffs insisted upon taking two, the partisans of the court carried the day against an obvious majority of the liverymen.[1] On September 28 North and a tory colleague named Rich were formally sworn in as sheriffs. All that Pilkington and Shute could do to show their resentment was to refuse to give the customary banquet to the lord mayor, on the ground that "since the City was come under a military government, they thought it no proper time for feasting".[2] The victory of the court in the election of sheriffs was followed by a cheaper triumph in the choice of Moore's successor in the mayoralty. As usual, two candidates were proposed by each party. But the tories, by dint of superior organisation, concentrated all their voting power on the support of Sir William Pritchard, while the whig votes were divided. The result was that though Pritchard stood third on the declaration of the poll, the majority against him was only a small one, and on a scrutiny he was declared to be elected.[3] Thus for at least a twelvemonth the court had secured the three chief magistrates of the city, and for that space at any rate it was not likely that there would be any more *ignoramus* juries in London.

The result of these civic struggles, together with the news that charters all over the kingdom were being surrendered or attacked, constituted a grave menace to the whig leaders. Since their great rebuff at Oxford, they had been scrupulously careful to keep within the limits of the law. It would probably have been wise for them to continue this policy of self-effacement. They had made many blunders in playing the strong cards which they had once held in their hands: but there was no reason to believe that their opponents would

[1] See Burnet, ii., 335-39, and Luttrell, i., 196-98, 203-10, 217-24.
[2] Luttrell, i., 225. [3] *Ibid.*, i., 225-27, 231-32.

make better use of the trumps which had now fallen to them. Neither the Duke of York nor Louis XIV. was the most prudent of men. If James should flaunt before the people his hated creed, if Louis should carry to extremes his persecution of the protestants, or if in his presumption he should attack some vital interest of England, the outcry against popery and French influence might be as loud as ever. But it was difficult to sit still while the enemy was battering down the citadels of whiggery, and forging such formidable weapons as the control of juries and a dominant voice in the election of borough members to a future house of commons.

Shaftesbury's temper was soured by the consciousness that he had led his party to defeat and disaster. His increasing infirmities warned him that, if he was to enjoy the fruits of victory, it must be won speedily. When the only safe policy of the whigs was to free themselves from the charge that their principles would plunge the country into civil strife, he advocated armed resistance to the government. At his instigation Monmouth made a semi-royal progress through Cheshire, which led to his arrest on September 25 and the exaction of heavy sureties for his good behaviour. When the court triumphed in the London elections, the earl proposed that his "brisk boys" should rise in revolt. But Monmouth had scruples of loyalty towards his father, and neither Russell nor Essex was willing to countenance unconstitutional methods of resistance. Overruled by his colleagues, and haunted by the belief that his life was in danger, Shaftesbury fled to Holland in November and died on January 21, 1683, in Amsterdam. His death was no great disaster to the whig party. In spite of immense ability, and of a genuine devotion to the cause of religious toleration, which supplies the one thread of consistency through the tortuous changes of his political career, he lacked the supreme tactical skill which marks the really great political leader. His character, thanks to Dryden and in a later generation to Macaulay, has been painted in blacker colours than it deserves. His aims have been in the main justified by later history, his actions were not unduly nor ignobly dictated by personal ambition, and if he was unscrupulous in his choice of means, he might plead that such scruples were not common in his generation. His greatest blunder was his putting for-

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ward Monmouth as a candidate for the succession. By that act he divided and wrecked his party.

But if Shaftesbury's disappearance was no irreparable loss, it certainly brought no gain to his followers. The seditious spirit which he had kindled in his last year still lived to bring ruin upon the whigs. The evil genius of the party was Robert Ferguson, an Aberdonian by birth, and endowed with all the adventurous shrewdness of the natives of that city. Under the Commonwealth he had been a presbyterian minister, and since the loss of his benefice through the act of uniformity, he had adopted the career of a professional plotter. He had become an intimate associate of Shaftesbury in 1682, had accompanied him to Holland, and had been present at his death-bed. In February, 1683, he returned to England and speedily gathered round him a knot of desperate men, including old Cromwellian soldiers like Colonel Rumsey, Richard Rumbold, and Walcot, a lawyer named West, and Goodenough, a London citizen who had been prominent in supporting the sheriffs against the dictatorial lord mayor. Among the numerous schemes discussed by these men the most definite was a plot to seize Charles and James on their return from Newmarket in April. The capture was to be effected at the Rye House, near Hoddesdon in Hertfordshire, at which Rumbold since the disbandment of the army had carried on the business of a maltster. No hint of the plan was allowed to reach the recognised leaders of the whig party.[1] But these men, Monmouth, Russell, Essex, and Grey, with Algernon Sidney and the young John Hampden, a grandson of the opponent of ship-money, had undoubtedly held occasional consultations with the humbler and more unscrupulous supporters of their cause. These meetings, which took place at the house of a wine merchant called Shepherd, had never gone beyond futile discussions as to the possible methods of resistance, and no definite scheme of insurrection had been agreed upon.

Meanwhile the court, ignorant of these plots, had been carrying matters with a high hand. The change in the complexion of juries impanelled by the new sheriffs was speedily made manifest. Ex-sheriff Pilkington, found guilty of libel-

[1] Even Roger North (*Examen*, p. 393) admits that the plot had not been communicated to them.

ling the Duke of York, was fined the enormous and impossible sum of £100,000.[1] With his colleague Shute and others he was sentenced to a further fine for riotous conduct at the meetings of liverymen to elect the new sheriffs.[2] The prisons were filled with nonconformists who had broken the conventicle act. The most eminent and respected of presbyterian ministers, Richard Baxter, was imprisoned for breach of the five-mile act. The exuberant gratitude of the Church party found expression in the famous decree which was unanimously adopted by a convocation of the University of Oxford on July 21, 1683.[3] It began by condemning a number of propositions justifying resistance to authority, which professed to be drawn from the works of Hobbes, Milton, Knox, Bellarmine, George Buchanan, and other authors. The offending books were then solemnly committed by a university bedel to a bonfire in the quadrangle of the schools. Not content with mere negation, the university laid down that all teachers should instruct their scholars "in that most necessary doctrine, which in a manner is the badge and character of the Church of England, of submitting to every ordinance of man for the Lord's sake, teaching that this submission is to be clear, absolute, and without exception of any state or order of men". The doctors and masters who approved the decree with a sonorous hum could little foresee what bitter reason they would have within five years to repent of their adhesion to these high-sounding doctrines. CHAP. X.

The Oxford decree of July 21 was provoked by the discovery in the previous month of the Rye House plot,[4] which had been foiled at the time by the premature return of the court on account of a fire at Newmarket. The first disclosure was made by an oilman named Keeling, but from the moment that detection was assured, the baser conspirators, notably West, Rumsey, and Shepherd, hastened to curry favour with the government by giving information against their associates. On June 23 orders were issued for the arrest of Rumbold,

[1] Luttrell, i., 240; Burnet, ii., 348. [2] *Ibid.*, i., 257, 263.

[3] *Kenyon MSS.*, pp. 163-66; Wood, *Life and Times* (ed. Clark), iii., 62-64; Luttrell, i., 271.

[4] See Burnet, i., 360-70; *Hatton Corr.*, ii., 22-88; Luttrell, i., 263-64; Ailesbury, *Memoirs*, i., 73-74; Reresby, pp. 279-80; Hist. MSS. Comm. Rep., vii., 363; Sprat, *History of the Rye House Plot.*

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Walcot, and a number of lesser agents. On the 26th, Sidney and Russell were sent to the Tower. On the 29th, further proclamations offered a reward of £500 apiece for the capture of Monmouth, Lord Grey, Sir Thomas Armstrong, and Ferguson. Monmouth was searched for in vain; Grey was arrested but escaped; Armstrong, Ferguson, Rumbold, and others succeeded in making their way to a foreign asylum. On July 8, Hampden and Lord Howard of Escrick were seized, and two days later Essex was sent to join Russell and Sidney in the Tower.

Little time was wasted in bringing the prisoners to trial. In the case of the humbler conspirators, conviction was inevitable and not unjust. But it would have been difficult to convict the more reputable leaders of treason without the aid of Lord Howard, who purchased his own pardon by basely giving evidence against his comrades. Russell, the most popular and the most virtuous of the accused, was the first to be prosecuted. As the trial was proceeding, the news arrived that Essex had been found in the Tower with his throat cut from ear to ear.[1] His suicide—for the subsequent suspicion of murder was supported by no adequate evidence—was attributed by public opinion to remorse, and certainly prejudiced the cause of the prisoner. No attempt was made to accuse Russell of complicity in plans of assassination. But the evidence of Shepherd and Howard was sufficient to prove that he had been present at the discussion of seditious designs and that he had not dissociated himself from the plotters. His defence that he had been merely a passive and disapproving auditor was hardly adequate to impress a tory jury. On July 13 he was sentenced to death. During the week that elapsed before his execution strenuous efforts were made to obtain his pardon. It was urged that his father was a devoted adherent of the monarchy, and that his wife was the daughter of Southampton, the very pattern of loyal cavaliers. Russell himself wrote humble letters to the king and the Duke of York, but he refused to abandon the doctrine that in extreme cases it was lawful to resist authority. It is not likely that any submission would have availed. Charles for once was

[1] See Burnet, ii., 372, 398; Ailesbury, i., 78; *Hatton Corr.*, ii., 29; Luttrell, i., 269, 287, 299; Evelyn, July 13, 1683; *MSS. of House of Lords*, 1689-90, 22-28.

adamant and declared that "if I do not take his life, he will soon have mine".[1] Lord Russell met his death on the scaffold with Christian fortitude and resignation. CHAP. X.

The most notable prisoners after Russell's death were Sidney and Hampden. The former was not brought up for trial till November, and even after the five months' delay it was difficult to find sufficient evidence against him. The presiding judge was Jeffreys, who was naturally anxious to justify his recent elevation to the bench. The only evidence which touched the charge of treason was that of Lord Howard, and the statute of Edward VI. required two witnesses. This difficulty was got over by the production of a manuscript found in Sidney's study, written in answer to the *Patriarcha* of Sir Robert Filmer, and expressing a speculative preference for republican government. There was no evidence that the document was intended for publication, or that its principles were to be translated into action. Yet at Jeffreys' dictation the jury gave a verdict of guilty, and Sidney died "stoutly and like a true republican"[2] on December 7.

Meanwhile the startling news had been received that Monmouth on November 24 had surrendered on the promise of a royal pardon. The reconciliation of the father with his erring son was attempted by Halifax[3] who, at the risk of serious misconstruction, had interceded for Russell, had befriended Sidney, and still clung to the hope of bringing over the shattered remnant of the whig party to an understanding with the king. But his efforts were deliberately frustrated by James, who continued to regard his nephew as a dangerous rival. Charles had obtained from Monmouth an admission that the evidence of Howard was true, though he passionately denied any knowledge of schemes of assassination. On condition that no use should be made of the document, and that he should not be called upon for evidence, he signed a paper in which his admissions were placed on record. But James artfully procured the insertion in the *Gazette* of a notice of these transactions in terms which implied that the duke had proved a traitor to his

[1] Dalrymple, ii., App. i., p. 60.

[2] *Buccleugh MSS.*, p. 200, letter from James to Queensberry on Dec. 8; see also Dalrymple, ii., App. i., p. 55.

[3] Welwood, *Memoirs*, p. 373, App. xiv.; Reresby, pp. 286, 287; Burnet, ii., 405; Foxcroft, i., 400; Hist. MSS. Comm. Rep., vii., 368, 3 75.

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associates. Extremely sensitive to such a charge, Monmouth demanded the restoration of his confession. The request was at first refused, but repeated demands exhausted the king's patience and he ordered Halifax to "restore the paper and send him to ——"[1] Monmouth was again excluded from court, and received a subpœna to appear as a witness against Hampden. Determined not to play so hateful a part, the duke fled to Holland. At Hampden's trial his name was called in vain, and the accused, who was charged with misdemeanour and not with treason, was sentenced to a fine of £40,000.

The "protestant plot" served the purpose of obliterating the memory of the popish plot, and was as fatal to the whigs as its predecessor had been to their opponents.[2] A third shower of loyal addresses, expressing abhorrence of the treasonable design against the king, descended upon the court. But Charles received more substantial benefit from the completion of that ascendency in London which he ha temporarily secured by the election of Pritchard, North, ar Rich. On June 12, 1683, the charter of the city was d clared by the court of king's bench to be forfeited to t king. With politic leniency the formal entry of the decis was postponed, in order that the now humbled citizens mi have a chance of coming to voluntary terms with the cro On June 18 a humble petition was presented to Charles at Windsor, to which the lord keeper replied that the king would of his grace restore the charter on condition that the election of mayor, sheriffs, recorder, and other officials should be subject to the royal veto. If his majesty should disapprove of the first choice, a new election was to take place, but if that were also rejected, the king might fill the vacancy by nomination.[3] Great efforts were made to induce the citizens to accept these terms, but after some weeks of hesitation the common council by a majority of eighteen determined on October 2 to reject them. The result was that the judgment of the king's bench was formally entered, and the city, deprived of its charter, passed under the control of the king. The whole framework of municipal government remained un-

[1] Ailesbury, *Memoirs*, i., 84; compare *Life of James II.*, ii., 742-44.
[2] Welwood, p. 132; Evelyn, June 28, 1683.
[3] Luttrell, i. 261; Evelyn, June 18, 1683; North, *Examen*, pp. 633-35.

altered, but the right of election was superseded by royal nomination.[1] The downfall of the liberties of London was fatal to those of lesser corporations. During the past two years there had been frequent surrenders of charters, and the more obstinate corporations had been coerced by writs of *quo warranto* and judicial forfeitures. In 1684 Jeffreys returned from the northern circuit "laden with surrenders," having, in the exultant words of Roger North, "made all the charters, like the walls of Jericho, fall down before him".[2]

The overthrow of municipal independence and the vengeful prosecution of the whigs completed the triumph of Charles. In England, as in Scotland, the monarchy was supreme over all rivals. In the spring of 1684 three years had elapsed since the last dissolution, and by the statute of 1664 it was legally necessary to summon a new parliament. It was in vain that Halifax urged that in the present temper of the country, and with the new control over boroughs, such an assembly could be held without danger.[3] Charles was exultant in the unfamiliar sense of freedom from control. He looked back with loathing to the days of constant inquiry and disconcerting addresses. He knew that the old enmity to France was still a living force, that his foreign policy was open to serious criticism, and that if parliament should meet, continental powers would resume their intrigues with domestic factions. He had had enough of all this, and he decided to go on quietly without a parliament. James, who had still more reason to regard parliamentary sessions with abhorrence, shared to the full in the triumph of the royal power. The prince who a few years before had been driven to seek shelter in exile from parliamentary hostility, who in 1682 had only purchased leave to return by undertaking to abstain from all intervention in public business, now resumed without protest his seat in the council and in the inner cabinet. In 1684, in complacent defiance of the test act, he was allowed to resume the official work which he really loved at the head of the admiralty.[4]

[1] Luttrell, i., 282; Burnet, ii., 348, 396; *Buccleugh MSS.*, p. 197; *Examen*, p. 639; Hist. MSS. Comm. Rep., vii., 366.

[2] *Examen*, p. 626. [3] Reresby, pp. 293-94; Burnet, ii., 388, 397.

[4] *Life of James II.*, i., 733, 745; Reresby, pp. 303, 304; Luttrell, i., 264, 307, 308; Burnet, ii., 419; Evelyn, May 12, 1684.

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The decision to dispense with parliament for an indefinite time compelled attention to Danby and the Roman catholic lords, who were still prisoners in the Tower. Their appeals for release had hitherto been rejected on the ground that it was beyond the powers of the judges to go against the decision of the high court of parliament. This legal objection had not been removed, but without some assurance of a parliament at regular intervals the imprisonment might be indefinitely prolonged. The judges speedily found a way out of the difficulty, as they might have done before, if the court had really desired it. On finding securities for their appearance before the next parliament, Danby, Powys, Arundell of Wardour, and Belasyse were released from their long confinement. Lord Petre had died in the Tower. Whether justified by strict law or not, this was one of the best acts of the tory administration.

The victory of the monarchy and the personal triumph of James were paid for by serious and galling humiliations. England could take no part in the relief of Vienna; the most brilliant achievement of that generation.[1] Tangier had promised to give to England that power in the Mediterranean which the next generation had to recover by the capture of Gibraltar and Minorca, but Tangier was abandoned in 1683[2] because an arbitrary king could not afford the cost of its defence, and would not appeal to parliament for the necessary funds. Louis XIV., doubly assured now that England was without a parliament and Austria was involved in a great Turkish war, resumed with impunity the assertion of claims of which he was to be both the champion and the judge. In September, 1683, his troops re-entered the Netherlands and captured Courtrai and Dixmuiden. The young King of Spain replied with a formal declaration of war. In 1684 the French renewed their attack upon Luxemburg, which was forced to surrender in June. Spain could get no efficient assistance from its allies. The Emperor could spare few forces from his eastern war. The citizens of Amsterdam were openly opposed to the bellicose policy of William of Orange. Worst of all, the

[1] Evelyn, Sept. 23, 1683: "we sat unconcerned and under a deadly charm from somebody".

[2] For a full account of the attacks of the Moors upon Tangier and of its ultimate evacuation, see J. S. Corbett, *England in the Mediterranean* (London, 1904), ii., chap. xxv.; and the *Dartmouth MSS.*, 1682-84, *passim*.

English king definitely refused to carry out the treaty which he had made in 1680. To the reiterated and passionate appeals of Ronquillos Charles could only reply that the condition of affairs at home made it impossible for him to engage in a foreign war. Thus deserted, Spain was forced to negotiate for peace. Louis offered to withdraw his demand for the absolute cession of the territories which had been "reunited" to France, and to be content with a truce of twenty years during which he should remain in occupation of them. It was not a very creditable evasion for the powers which had undertaken to guarantee the treaties of Westphalia and Nimeguen, but it had the advantage of leaving the question of final sovereignty open to subsequent dispute when the prospects of success might be more cheering. In the autumn of 1684 the truce was accepted both by the Empire and by Spain. The responsibility for enabling France to impose its will upon Europe in defiance of law and equity rests in large measure upon Charles and his brother. CHAP. X.

The extent to which English policy was controlled by France may be illustrated by an event of some importance in the royal family. As time went on the question of the ultimate succession in England began to occupy the attention of both courts. On the death of the infant born in 1682, James began to give up the hope of leaving issue by his second marriage.[1] In that case the succession would fall after his own death to Mary, who was the wife of William of Orange. Mary was childless, and unless her sister Anne should leave issue, William might eventually succeed in his own right. Such a prospect was sufficiently alarming to France and vexatious to James, who had never loved his son-in-law. To minimise the risk, it was determined to provide Anne with a husband. But her marriage was to be in complete contrast to that of her sister, and was intended, so far as possible, to undo its results. Mary had married the arch-enemy of France: the choice of Anne's husband was submitted to Louis XIV.[2] As Charles could not venture to marry his niece to a catholic prince, it was necessary to find a protestant

[1] Campana de Cavelli, i., 394.

[2] *Ibid.*, p. 403: Mary of Modena thanks Louis for arranging her step-daughter's marriage.

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ally of France. George of Brunswick-Lüneburg, afterwards George I., had been thought of, and would have been a fitting bridegroom from an English point of view. But he was too loyal a supporter of the Emperor to suit France, and was rejected in favour of another George, the brother of the King of Denmark. The marriage was solemnised in July, 1683, and may be said to have disappointed all the expectations based upon it at the time.[1] It was happy and unusually fruitful, but not one of Anne's numerous children lived to maturity. Prince George was a nonentity in English affairs, and the hopes which some had entertained that he would become a Roman catholic were never realised. Above all, the marriage brought no gain to France. The alliance of Denmark with France, due only to momentary interests, was not long-lived, and it was in the reign of Anne that Louis XIV. met with those defeats at the hands of England which brought his reign to a disastrous and almost to an ignominious close.

Although Charles succeeded in maintaining his freedom from parliamentary quarrels, his ingenuity was still taxed by the necessity of dealing with personal and political rivalries among his intimate advisers. The original want of concord between Rochester and Halifax had been intensified in January, 1683, when the latter announced his discovery that the hearth duties were farmed upon terms involving a loss of £40,000 a year to the crown. Rochester, endowed by nature with a sensitive and hasty temper, resented the slur cast upon his financial administration. He declared that the treasury accounts disproved Halifax's assertions, and after vehement debates in the council he succeeded in escaping further inquiry.[2] He owed this victory to the interested support of Sunderland and the Duchess of Portsmouth, and also to his alliance with the Duke of York. For some months the credit of Halifax seemed to be on the wane. His attempt to restore Monmouth to favour ended in complete failure, and the king rejected his advice to summon a parliament. During the early months of 1684 the balance of parties at court remained

[1] *Buccleugh MSS. at Drumlanrig*, p. 189: "The loyal party here do like it, and the Whigs are much troubled at it".

[2] Reresby, pp. 268-73, 276; Burnet, ii., 340-41; Hist. MSS. Comm. Rep., vii., 362; *Lives of the Norths*, iii., 148-51.

fairly equal. The release of Danby may be regarded as a victory for Halifax, partly because James had always been opposed to it, and partly because the ex-minister, if consulted by the king, was expected to support the lord privy seal.[1] On the other hand, the resignation of Jenkins on April 2 was followed by the appointment of Godolphin, an old ally of Sunderland and the Duchess of Portsmouth, as secretary of state.

In the course of 1684 a new split began to appear in the narrow ministerial circle. Although James had profited by the support of the Anglican party, his religion was an obstacle to complete concord with them. As he felt more and more secure against opposition, he began to use his influence in favour of the members of his own Church.[2] In this he found support from Sunderland, eager to secure his influence in the coming reign, and also from the restless Jeffreys, who desired to undermine the influence of the lord keeper, Guilford. The proposal to release all imprisoned papists and to procure a general relaxation of the laws against popish recusants was diametrically opposed to tory principles. In opposition to such projects, Guilford began to draw closer to Halifax,[3] whose position at court was thus considerably strengthened. Rochester was now in an extremely awkward dilemma. By personal conviction and by family tradition he was in favour of maintaining an impartial hostility to protestant dissenters on the one hand and to papists on the other. But he was dependent upon his brother-in-law and reluctant to part with so powerful a prop. To make matters worse, the king was beginning to resent the rather presumptuous and dictatorial part which James was assuming in the government. The dismissal of the old Earl of Radnor (formerly Lord Robartes), who had been president of the council since 1679, led to a startling redistribution of offices. Rochester, who for some time had confidently anticipated the revival of the lord treasurership in his favour, was now removed to the dignified but comparatively unimportant office of lord president. Halifax triumphantly declared that he had heard of a man being kicked down-stairs, but never before of his being

[1] On relations of Halifax and Danby, see Reresby, pp. 275, 296-97; *Lindsey MSS.*, pp. 439, 440.

[2] Luttrell, i., 303, 326; *Buccleugh MSS.*, p. 214.

[3] Luttrell, i., 317; *Lives of the Norths*, ii., 70.

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kicked up-stairs.[1] Godolphin became head of the treasury commission, to which Dudley North, the lord keeper's brother, and Henry Thynne, a cousin of Halifax, had recently been added. Rochester was so disgusted that he expressed his willingness to go to Ireland as lord-lieutenant in succession to Ormondé.

These changes were followed by obscure intrigues which seemed likely to result in a complete alteration of the policy of the crown.[2] Halifax had never abandoned the idea of restoring Monmouth to court in order to counterbalance the influence of James. Since his last departure from England, Monmouth had lived partly at Brussels and partly at the Hague. In both capitals he was treated as a member of the royal family,[3] and it was believed that this conduct had the personal approval of Charles. In November, 1684, Monmouth paid a visit in the greatest secrecy to the English court,[4] and was said to have received an assurance of his speedy re-call. James admitted that the king had resolved to hold a Scottish parliament in the following March,[5] and it was anticipated that an English parliament would follow.[6] The overthrow of Rochester seemed likely to be completed when Halifax revived the charge of financial maladministration and declared that the treasury accounts had been falsified to conceal the losses of the crown. The earl, who had not yet gone to Ireland, was summoned to defend himself at Whitehall.

How far Charles was really in earnest in these plans and proceedings can never be ascertained. On the morning of February 2, the very day on which the council was to examine the treasury books, the king was stricken with what was then regarded as apoplexy.[7] So opportune did the seizure appear that charges of foul play were brought

[1] Bramston, *Autobiography* (Camden Society, 1845), p. 168; Reresby, pp. 307-8; Luttrell, i., 315; Burnet, ii., 436; *Buccleugh MSS.*, p. 206; Hist. MSS. Comm. Rep., vii., 378; Evelyn, September 26, 1684.

[2] Welwood, *Memoirs*, pp. 134, 137; Reresby, p. 309; Burnet, ii., 453.

[3] Luttrell, i., 306, 318; Burnet, ii., 409. James declared that this kind usage of Monmouth "scandalises all honest people," *Buccleugh MSS.*, p. 205. Compare Dalrymple, ii., App. i., pp. 56-57.

[4] *Buccleugh MSS.*, p. 212; Foxcroft, *Halifax*, i., 423-26; Hist. MSS. Comm. Rep., vii., 403.

[5] *Buccleugh MSS.*, p. 210. [6] Hist. MSS. Comm. Rep., vii., 403.

[7] For a medical estimate of the causes of Charles' death, see R. Crawford, *The Last Days of Charles II.* (Oxford, 1909).

against the Duke of York and the papists.[1] The accusations are wholly groundless. Charles' health was undermined by his excesses, and he had had similar though less serious seizures before. Although in the course of a few hours copious bleeding enabled him to recover the power of speech, his strength was exhausted, and he passed away about noon on February 6. Before his death those of his illegitimate children who were at court were brought to his bedside to receive his blessing, and he commended Nell Gwyn and the Duchess of Portsmouth to the care of his successor. The story of his last hours, in which he displayed creditable courage and composure, has been told at disproportionate length, both by contemporaries and by later historians. The only episode of vital importance is the tardy acknowledgment of his adhesion to the Roman catholic Church. The archbishop and several bishops attended the royal chamber, and the saintly Ken, who was put forward in place of the inarticulate Sancroft, urged him to receive the sacrament. But Charles, keeping to the last his masterly powers of dissimulation, evaded the suggestion without the scandal of a refusal. James, who knew more of his brother's private opinions than any one, except the queen and the Duchess of Portsmouth, succeeded in getting the room cleared for half an hour. During this brief interval Father Hudleston, who had helped to save the king's life in his escape from Worcester, and who had enjoyed special protection from the penal laws, was introduced through a private passage and administered the last rites of the Roman Church. With courtly grace the king thanked him for his zeal, declaring that once he had saved his body and now he had come to save his soul.[2]

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Charles preserved to the last his personal popularity, and his death was sincerely mourned by the great majority of his subjects. But this popularity, due to superficial good nature, an easy and gracious manner, combined with remarkable powers of apt and witty expression, was really undeserved. Of his ability to govern there can be no doubt, but the history of his reign is the record of misused opportunities. The fatal vice of his character was selfishness, developed and nourished

[1] See Welwood, *Memoirs*, pp. 135-39.

[2] Ailesbury, i., 90; *Life of James II.*, i., 746; Campana de Cavelli, ii., 6, 8-11.

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during the prolonged exile in which he had learned to make his own interests the primary objects of pursuit. To the love of ease, of pleasure, of freedom from irritating control, he was willing to sacrifice his friends, his faithful servants, the interests and even the honour of his country. It is no adequate answer to this charge that peace, even with dishonour, stimulated the growth of material prosperity. The necessity of opposition to France, which Charles for his own reasons refused to recognise, was postponed and not avoided by his compliant attitude. And during the interval Louis XIV. was enabled to strengthen his dominions by the addition of border fortresses, which might never have been gained if England had joined with the Dutch and Spaniards in resisting his pretensions. Nor can Charles be said to have contributed to English success in the prolonged struggle which began in 1689. Even the navy, in which both Charles and James took a genuine interest, was allowed to fall into decay in his later years when public expenditure had to be narrowly limited in order to avoid the necessity of meeting parliament.

The advance of industry and commerce is doubtless an important aspect of the reign and contributed to popular acquiescence in the growth of personal rule. The customs duties, which amounted in the gross to some £260,000 in 1661, had expanded by 1685 to nearly £600,000. But it is difficult to attribute any credit for this advance either to crown or parliament. Agriculture was unprogressive, in spite of the advantage given to the landed interest by the abolition of feudal dues. No new industry was introduced until the arrival of the Huguenot refugees in the last years of the reign. The principles which guided legislation in matters of trade were those of the mercantile system, and the advocacy of greater freedom was limited to a few enlightened individuals such as Locke, Shaftesbury, Nicolas Barbon, and Dudley North. By far the most important economic measure of the reign was the navigation act of 1660, which protected English shipping and encouraged the growth of a mercantile marine. In aid of the woollen industry no less than three statutes were passed to prohibit people being buried in anything but woollen wrappings. The importation of foreign and especially of Irish cattle was repeatedly forbidden. The only notable exception to the

general policy of protecting the native producers is the prohibition of tobacco planting at home in order to maintain the monopoly of the American plantations.[1] External trade, with the exception of that to the west, was still confined for the most part to privileged companies, such as the East India Company, the Levant Company, and the Eastland Company, though the privileges of the last were infringed by an act of 1673, which allowed all subjects freedom to trade with Sweden, Denmark, and Norway.

Some credit should, however, be given to the king for a genuine interest in science, art, the drama, and colonisation. The foundation of the Royal Society, dignified even in its early days by communications from Robert Boyle and Isaac Newton, gave an immense stimulus to the growth and diffusion of scientific knowledge, and also to the application of that knowledge to useful purposes. Pictorial art underwent a decline, and the simpering half-clad ladies of Sir Peter Lely are a poor substitute for Vandyke's masterpieces of portraiture. But architecture made great strides, and the genius of Sir Christopher Wren found a unique opportunity in that reconstruction of London and its great cathedral which was necessitated by the fire, and which is a striking proof of the substantial prosperity of the capital. A real artist in his way, too, was "that incomparable young man," Grinling Gibbons, whose carvings John Evelyn brought before the notice of the king.[2] The dramas of the Restoration, in some respects the most characteristic literary productions of the age, owe much of their inspiration, and perhaps more of their indecency, to the patronage of the court. Never before or since was royalty so regular in its attendance on the drama, though Sir John Coventry had some justification for his assertion that Charles took more interest in the actresses than in their art. Still, it is hardly likely that the two theatres which in those days satisfied the needs of London could have paid their way without royal support, whatever its motive.

It is, however, in the expansion of England beyond the sea that the most creditable record of Charles' reign is to be found. For the first sixteen years, at any rate, he was

[1] See *Acts of the Privy Council (Colonial Series)*, 1618-80, Pref. xviii-xxiii.

[2] Evelyn, Jan. 18 and March 1, 1671.

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genuinely eager to promote the prosperity of the plantations and trading settlements of his subjects. The acquisition of Bombay and Tangier was one of the chief inducements which impelled him to marry Catharine of Braganza. On the defence of Tangier and the improvement of its harbour he lavished large sums, until he found himself forced to choose between a still larger expenditure and the risk of having to submit once more to parliamentary interference. Bombay, which in 1668 he handed over to the East India Company at a nominal rent of £10 a year, became the nucleus of the territorial possessions of England in Hindustan. In North America his actions had still larger results. In 1663 he granted the huge district between Virginia and Florida to an association of nine men, among whom Clarendon, Monk, and Ashley were the most prominent. The new colony, which received the name of Carolina in honour of the king, was subsequently split into two separate parts, of which South Carolina was much the more prosperous. It had the honour of receiving a fanciful and perfectly futile constitution which was drafted by John Locke for his patron Shaftesbury. When the New Netherlands were conquered from the Dutch, Charles granted them to his brother, and they received the name of New York. A fragment of this vast estate, which James sold to Lord Berkeley and Sir George Carteret, became New Jersey, and was the first colony to receive a Quaker settlement William Penn, who had an interest in this settlement, afterwards obtained from the king in 1680 a grant of territory between Maryland and New York in payment of a sum of £16,000 which his father had lent to the king. To this land, which was called Pennsylvania, Penn exported successive detachments of Quakers, and gave them a constitution based upon the complete toleration of all Christian sects. In 1682 he received from James a district to the south-east of New York, which remained a dependency of Pennsylvania until 1703, when it became the separate colony of Delaware. Thus within a single reign England acquired, partly by settlement and partly by conquest, an extension of territory in North America which ultimately formed seven out of the original thirteen colonies on the east coast. And but for the annexation of New York, it is hardly possible that these colonies should have grown into the United States,

CHAPTER XI.

JAMES II. AND HIS PARLIAMENT.

THE most puzzling problem which confronted James II. when he succeeded to the crowns of England, Scotland, and Ireland on February 6, 1685, was that of religion. He had deliberately joined a Church which the great majority of his subjects regarded with mingled fear and abhorrence. How could the ecclesiastical supremacy, entrusted to the crown as a bulwark against the pretensions of Rome, be exercised by a king whose creed was diametrically opposed to that of the established Church in each of his three kingdoms? The danger was indeed so obvious that it had already given rise to passionate discussions. For three years, from 1679 to 1681, it had seemed inevitable either that James would be excluded from the succession, or that his authority would be subjected to limitations which would make his sovereignty little more than nominal. From this intolerable dilemma he had been extricated, mainly by the dexterous conduct of the late king, but partly by the stubborn loyalty of the adherents of that very Anglican Church whose interests and security were at stake. The debt which James had thus incurred to the tory churchmen added another complication to the problem which he had to solve. In Scotland there was less machinery for offering effective opposition to the royal power than in England, but the antipathy to Roman catholicism was at least as strong in the northern as in the southern kingdom. And if in Ireland the king could reckon upon the interested support of the native population, this very fact made concessions even more distasteful, not only to Englishmen and Scotsmen, but also to the dominant oligarchy in Ireland itself. It would have been easy for an indolent and unambitious prince to leave matters as they were at the end of the late reign. But to James this was

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impossible, and it was hardly expected of him by his subjects. To allow the members of his own Church to remain subject to oppressive laws and to humiliating disqualifications, appeared to James as equally derogatory to his royal dignity and to his religious sincerity. That he would insist upon some concessions to Roman catholics was recognised by all candid observers as both natural and inevitable. What was doubtful was the method and the extent of these concessions, and the possibility of combining them with the maintenance both of protestant ascendency and of constitutional liberties.

For some months it seemed that James would be satisfied with very moderate demands which it would be unreasonable to refuse. He was not, as Charles II. had been in 1660, a young man assuming the government in a country of which he had little personal knowledge. He was in his fifty-third year, and for more than twenty years he had been an active and a keenly interested politician. He had for his guidance all the experience of his brother's reign, and although he lacked the cleverness and versatility of his predecessor, he could not be wholly blind to lessons which were written large in recent history. The most distinct of these lessons was that every step towards the relief of Roman catholics was fraught with difficulty and danger. And another lesson, no less clearly expressed in the last four years, was that a king who had the support of the Anglican Church might exercise his prerogative without fear of national opposition. Loyal as James was to his Church, he was at least equally desirous of power, and until that power was fully secured, he resolved to do nothing which might alienate the now dominant tory party.

This resolution found clear expression in the brief but significant speech which he made to the assembled privy council only a quarter of an hour after his brother's death. After returning the seals to the various office-holders, he proceeded to allay any suspicions to which his previous career might have given rise. He contemptuously dismissed the story that he was eager for arbitrary power, and went on: "I shall make it my endeavour to preserve this government, both in Church and State, as it is now by law established. I know the principles of the Church of England are for monarchy, and the members of it have shown themselves good and loyal

subjects; therefore I shall always take good care to defend and support it. I know, too, that the laws of England are sufficient to make the king as great a monarch as I can wish; and as I shall never depart from the just rights and prerogatives of the crown, so I shall never invade any man's property."[1] These words were received with warm approval by the councillors present, and their publication was rewarded by a continuous stream of loyal addresses. Their significance was accentuated by the general estimate which had been formed of the new king's character. James was not in reality more truthful or trustworthy than other men, but, in contrast with his brother, he had hitherto proved an unsuccessful dissembler. In an age in which deceit had become a fine art, this inability to dupe others had come to be regarded as evidence of peculiar honesty. The popular belief found expression in the current phrase: "we have now the word of a king, and a word never yet broken".[2] CHAP. XI.

Nor was this confidence in any way shaken by the slight ministerial changes which followed. In the strife of the later years of Charles II. James had been a partisan, and his accession naturally gave the victory to the side which he had then supported. Rochester, who had been on the point of retiring to the lord-lieutenancy of Ireland, remained in England with the office of lord high treasurer. His brother Clarendon received the privy seal. Halifax, whose turn it was to be kicked up stairs, succeeded Rochester in the dignified but comparatively insignificant post of president of the council.[3] Although James assured the discomfited minister that he would remember nothing but his services with regard to the exclusion bill, Halifax found himself shut out from all real political influence. The inner cabinet of confidential advisers was composed of Rochester, Sunderland, and Godolphin. Godolphin, who lost his post by the revival of the treasurership, was made chamberlain to the queen, while Sunderland retained the secretaryship of state. The favour shown to these two men, who had actually voted for exclusion, was due to the ready usefulness of the one and the successful intrigues of the other. The very fact that they had to wipe out the memory of past

[1] *Life of James II.*, ii., 3; Welwood, p. 153; Evelyn, Feb. 4, 1685.
[2] Burnet (ed. 1823), iii., 7; compare Evelyn, Oct. 2, 1685.
[3] Bramston, p. 171; Reresby, p. 316.

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disloyalty was, as Louis XIV. acutely observed,[1] an assurance of their servility. The majority of the people, with less insight into royal motives, considered that James displayed a magnanimous readiness to forgive, while the Church was completely reassured by the prominence given to its trusted champions, Rochester and Clarendon.

Legitimate ground for gratification was given by the greater decorum which now prevailed at court.[2] The Duchess of Portsmouth received instructions to quit Whitehall and to return to France. The king set a good example to his courtiers by dismissing his mistress, Catherine Sedley, whose sharp tongue and anti-popish prejudices were more dreaded by James' clerical guides than her lack of morality. But the general complacency with which the new reign was received met with some substantial shocks. Sticklers for constitutional law shook their heads when James by royal proclamation ordered the continued collection of the customs duties which had been granted to the late king for his life.[3] Far more serious misgivings were excited on the question of religion. Little sympathy was felt for Oates and Dangerfield, who were convicted of perjury and sentenced to brutal punishments.[4] But widespread alarm was aroused by the swarming of Romanists at court and by the public parade of popish ritual.[5] Hitherto James had been content to worship in strict privacy. On the second Sunday after his accession the doors of the queen's chapel at St. James's were thrown wide open, so that all the world might watch the celebration of the mass. The London pulpits at once resounded with denunciations of popery, and the king angrily called upon the bishops to impose some restraint upon the uncourtly preachers.[6] Orders were given to construct a new chapel at Whitehall for Roman

[1] Louis XIV. to Barillon, May 25, in Fox, *History of the Reign of James II.*, App., p. lxxxvi.

[2] Evelyn, Feb. 14, 1685; Burnet (ed. 1823), iii., 13; Campana de Cavelli, ii., 19.

[3] *Lives of the Norths* (ed. 1826), ii., 110-13; Burnet, iii., 9.

[4] Evelyn, May 22 and July 2, 1685; Luttrell, i., 343, 344, 350-51.

[5] Evelyn, March 5, 1685; Campana de Cavelli, ii., 37-39.

[6] See the extract from an important letter of Barillon, which is omitted both by Dalrymple and by Fox, in Lingard (ed. 1839), xiii., note A; Ranke (Engl. transl.), iv., 219; and also a letter from the Venetian resident in Campana de Cavelli, ii., 25.

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catholic worship. As Easter approached, the king called upon the great officers of state to accompany him to his illegal ceremonial with the same pomp as had been customary when the sovereign attended the service of the established Church. Sunderland and Godolphin with other docile courtiers obeyed the behest. But it was noted that Halifax and Ormonde remained in the ante-chamber, and Rochester, after vain efforts to induce his master to withdraw the order, evaded compliance by obtaining leave to retire into the country.[1]

Eager loyalists defended these acts as additional proofs of the king's openness and honesty. The general public forgave them, because they were accompanied by two impressive concessions to popular opinion. Parliament, which had never been convened since the brief and stormy session at Oxford in 1681, was summoned to meet in May. And on April 23 the Roman catholic king so far sacrificed his scruples as to accept coronation at the hands of Archbishop Sancroft and according to the rites of the Anglican Church. The only notable departure from the time-honoured ritual was the omission of the sacrament.

Before meeting his English parliament, James took the precaution of convening the more pliable Scottish estates on April 23, with the avowed object that they might prove "exemplary to others in your demonstrations of affection to our person and compliance with our desires". Yet even in this submissive assembly the king refrained from raising the question of Roman catholic relief. The office of commissioner was entrusted to the Duke of Queensberry, who had already warned the king that he would not be a party to any attack on the established Church, and the very first act of the parliament was a confirmation of all statutes formerly passed for the security of the protestant religion. With this one significant exception, the measures were all that the king could have desired. The excise duties, granted to Charles II. for his life, were henceforth to be annexed in perpetuity to James and his successors. An additional grant was made for immediate

[1] Barillon to Louis XIV. on April 30: Fox, App., pp. lxvi, lxvii.

[2] Evelyn, April 23, 1685. Rizzini, writing to the Duke of Modena, notes that there was no mass: Campana de Cavelli, ii., 64. For a full account of the ceremony, see *ibid.*, pp. 41-64; and J. Wickham Legg, Introd. to *Three Coronation Orders* (Henry Bradshaw Society, 1900), pp. xvi-xxviii.

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needs. The parliament renewed its adhesion to the doctrine of hereditary succession. By an act of unparalleled severity, the penalty of death and confiscation was decreed against all preachers at conventicles, and against the hearers at field conventicles, "which are the nurseries and rendezvouses of rebellion". The persecution of the covenanters, in which Claverhouse earned a dismal notoriety, was carried on with such severity that the brief reign of James came to be known among the oppressed people of the south-western counties as the "killing time".

Meanwhile the elections had taken place in England. No Stewart king, with the exception of Charles II. in 1661, had ever summoned a parliament with such absolute assurance of its loyalty. The reaction which had followed the Rye House plot was still at its height. The counties, where the influence of the country gentry predominated, could be trusted to return tories. And the remodelling of the corporations enabled the crown to control the elections in those boroughs which might otherwise have been inclined to choose whig representatives. The result was a complete triumph of the tory party. "Never was such a landed parliament" is the exultant phrase of the member for Wiltshire, who within the year succeeded his father as Earl of Ailesbury.[1] Evelyn reckoned that there were not more than 135 who had been in former parliaments, and James himself is said to have admitted that "there were not above forty members but such as he himself wished for".[2] The one element of danger lay in the apprehension of proposals against the interests of the Church. Sir John Reresby expresses the views of the average tory when he says: "I resolved to do my duty to the crown, but yet with a good conscience to my religion and country". But loyalty prevailed over all other considerations as the session advanced, "the king not giving the least token to change the religion, but much the contrary".[3]

The two houses met on May 19. The primary object of James was to obtain a renewed grant of the revenue which his predecessor had received. He was determined to resist any proposal to restrict the grant to a limited period in order to

[1] Ailesbury, *Memoirs*, i., 98.
[2] Burnet, iii., 16; Evelyn, May 22, 1685. [3] Reresby, pp. 324, 327.

compel a frequent recourse to parliament. With the same bluntness which had led him to disclose his motive for the early summons of the Scottish estates, he now declared that a restricted grant would be a very improper method to take with him, since the best way to engage him to meet them oftener would be always to use him well. In ordinary times such dictatorial language would have provoked opposition But any feeling of soreness or resentment was obliterated by the solemn renewal of the king's assurance that he would defend the Church as by law now established, and each period of the royal speech was punctuated by shouts of applause.[1] CHAP. XI.

The enthusiastic loyalty displayed in the opening proceedings continued throughout the session On the very day on which the king's speech had been delivered, the commons resolved to give to James for life the revenue which his brother had enjoyed. Sir Edward Seymour, who denounced the tampering with elections, and urged that the house should consider that subject before proceeding to supply, could not even obtain a seconder.[2] Three days later the committee on religion unanimously carried a resolution asking the king to enforce the penal laws against all obstinate recusants. On the news that James was irritated by this demand, the commons, with equal unanimity, reversed the decision of the committee, and adopted an address expressing confidence that the king would defend the Church which was far dearer and nearer to them than their lives.[3] A demand for more money for the navy was answered by the grant of further customs duties upon wines, tobacco, and sugar for eight years,[4] and the commons omitted the strict appropriation clauses which had been customary in the late reign. When the intelligence was brought that Monmouth had landed to stir up rebellion, the parliament hastened to pass an act of attainder against him, and voted to the king an additional £400,000 to pay for the suppression of the revolt. Meanwhile the house of lords, from which at one time more opposition had been dreaded than from the com-

[1] Evelyn, May 22, 1685.

[2] Barillon, June 4, gives a full summary of Seymour's speech: Fox, App., p. lxxxix. See also Evelyn, May 22. For a later motion on the same subject, see Lonsdale's *Memoirs* (ed. Bohn), p. 452.

[3] Reresby, p. 329; Barillon, June 7, in Fox, App., pp. xcv and xcvi.

[4] *Lives of the Norths*, ii., 122, iii., 161-64; Reresby, p. 330.

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mons,[1] had reversed the decision of 1679 that an impeachment was not terminated by a dissolution, and thus put an end to the proceedings against Danby and the popish lords, who had been released on bail in the previous year. The harmony between crown and parliament was still unbroken when the houses were adjourned on July 2, in order that all attention might be concentrated upon the suppression of the rising in the west.

So far the only avowed enemies of James were the numerous English and Scottish exiles who had been driven, mostly in the later years of Charles II., to seek an asylum in Holland. These men, and especially Monmouth, were deprived by the death of Charles of all hopes which they had built upon that king's clemency or upon the possibility of a change of policy at court. Their offences against Charles were trifling as compared with their offences against James, and they knew that as long as the latter was on the throne they had little chance of a return to their homes and property. Unquestionably their best policy was to wait until James' bigotry and tyranny had driven the nation to the verge of revolt, and then to strike in with the general discontent. But they were forced into premature action by the conviction that the oppressor's arm could reach them across the sea. France was closed to them on religious as well as on political grounds, and the opponents of France were so eagerly courting the alliance of the new ruler of England that they were unwilling to offend him by sheltering his enemies. William of Orange, who had hitherto shown conspicuous kindness to Monmouth, now warned his cousin that he must quit Dutch soil.[2] Brussels, whither Monmouth repaired, was not likely to be a more secure refuge than the Hague. His departure from Holland had caused a panic among the English exiles, for they regarded his personal popularity, which had so fatally misled Shaftesbury, as the strongest card in their hands. Their emissaries followed the duke to Brussels, and with difficulty persuaded him to accompany them to Amsterdam. After prolonged discussion it was decided that simultaneous risings should be organised in Scotland and in England, so as to divide the defensive forces at the disposal of the crown.

[1] So says Barillon on April 30, in Fox, App., lxix.
[2] Burnet, iii., 13; *Hatton Corr.*, ii., 54.

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It was a misfortune for the plotters that the munificence of a few wealthy enthusiasts and the pawning of Monmouth's jewels enabled them to raise enough funds for the equipment of the necessary ships. It was another misfortune that the predominance of anti-Orange sentiments at Amsterdam enabled these ships to set out, in spite of the efforts of the English ambassador and of William himself to prevent their departure. For both enterprises were doomed to inevitable failure. The conditions which had previously led to the defeat and exile of the malcontents had in no way altered for the better. James had as yet done nothing to alienate the tories or to justify the injurious forecasts of the whigs. He still maintained that alliance with the English Church and with the Scottish nobility which had enabled Charles to gain complete ascendency in both kingdoms since 1681. The protestant nonconformists in England were for the moment powerless, and the covenanters in Scotland were being harried by a relentless persecution. And even if circumstances at home had been more favourable than they were, the rebellions could hardly have been successful. Although they had been planned together, their aims were by no means identical. The Scottish conspirators had no intention of supporting Monmouth's pretensions to the throne, and most of them were in favour of a republic. In England the obstacles which had wrecked the exclusion project had never been removed. Monmouth at the head of a rising could hardly avoid posing as a candidate for the crown, even if he abstained from putting forward a definite claim. And in 1685, as in 1679 and 1680, there were many Englishmen who would gladly see James deprived of power, but who had no intention of putting in his place the bastard whose maternal origin was discreditable and whose paternity was doubtful.[1] James was still without a male heir; his queen was thought to be in failing health,[2] and prudent men preferred to wait until the natural course of events placed the crown once more upon the head of a protestant successor in the person of Mary of Orange.

The Earl of Argyle, who was to head the expedition to Scotland, was the first to sail on May 2. His chief associates

[1] See Evelyn, July 15, 1685; *Life of James II.*, i., 492.
[2] Campana de Cavelli, ii., 29, 34, 35, 76.

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were two fellow-countrymen, Sir Patrick Hume of Polwarth and Sir John Cochrane of Ochiltree, and two Englishmen, Rumbold and Ayloffe. After touching at the Orkneys, he sailed to his own country where he expected to raise a formidable force of Campbells. The hopelessness of the enterprise speedily became apparent. Argyleshire was held by the Marquis of Atholl, and only an insignificant number of clansmen joined their chief. The privy council took prompt measures to imprison all formidable malcontents in Edinburgh and elsewhere. And among the leaders of the expedition discord broke out. The scheme rested upon an impossible attempt to combine irreconcilable interests, the highlands with the lowlands, the cause of the Cameronians with that of a great noble who had been for years the associate of Lauderdale. Argyle had no claim on the allegiance of the covenanters of the south-west, with whom Hume and Cochrane desired to effect an immediate junction. After endless and bitter wrangling, Argyle at last consented to weaken his forces by sending a detachment under Cochrane to the south of the Clyde. But the Ayrshire coast was patrolled by English frigates, and with great difficulty Cochrane made his way to Greenock. There he was completely isolated, and he speedily found it necessary to rejoin his leader. Argyle now planned a bold attack upon Inveraray. But his ships and stores, which he had left in a rocky castle off the Kyles of Bute, fell into the hands of the royalists, and he was compelled to make a last desperate dash for the southern counties. On reaching the valley of the Clyde, the leaders separated for greater safety, and with their dispersal the ill-starred rebellion came to an end. Hume escaped to write a narrative of the enterprise which he had helped to ruin, but the others were all captured. Argyle was carried to Edinburgh and put to death on the old sentence which had been passed in 1681. Rumbold, the former occupant of the Rye House, was also executed in the Scottish capital. Ayloffe shared the same fate in London, but Cochrane succeeded in earning a pardon either by a money payment or by giving information against his associates.[1]

Shortly before the dispersal of Argyle's forces Monmouth

[1] Some interesting information about Argyle's rising is given in the *Diary of John Erskine of Carnock* (Scottish Hist. Soc., 1892).

had landed on June 11 at Lyme Regis, on the Dorset coast. His first act was to issue a declaration drawn up by Ferguson. The most atrocious charges were recklessly brought against James, to whom were attributed the burning of London, the successive murders of Godfrey and Essex, and even the poisoning of the late king. While asserting the legitimacy of his birth, Monmouth put forward no claim to the crown, and left the settlement of the succession to a free parliament. As constitutional reforms he demanded the restoration of the forfeited town charters, annual sessions of parliament, the secure tenure of judges, the toleration of all protestant sects, and the abolition of a standing army. Finally, he called upon Englishmen to follow him as the champion of protestantism against a popish king. CHAP. XI.

The appeal to religious passion was by far the most telling part of the declaration, and produced no small impression in the districts to which it was most immediately addressed. In the south-western counties, which had supplied most of the sailors to the fleet against the Spanish armada, the hatred of popery was as strong as ever. Recruits flocked to Monmouth's standard, and their courage was stimulated by slight military successes. Only the cowardice or incompetence of Lord Grey, who commanded the horse, prevented a complete victory over the militia at Bridport on June 14. At Axminster, on the following day, the Devonshire bands under Monk's son, the Duke of Albemarle, fled in confusion before an inferior force of rebels. Monmouth was thus enabled to advance to Taunton, where he received an enthusiastic welcome. James was by this time seriously alarmed. The militia was neither efficient nor trustworthy, and his regular troops, though reinforced by the regiments from Tangier, were hardly numerous enough to suppress an extensive rebellion. To meet the danger, he insisted on the recall of the Scottish and English regiments from the service of the United Provinces. The appointment of a foreigner, Lord Feversham, to command the western army was another sign of James' mistrust of his own subjects, and was by no means calculated to quicken the lagging enthusiasm of his soldiers.

But if James was anxious, Monmouth was beginning to despair. A motley crowd of ill-armed recruits could never win the kingdom for his cause. The great whig families had

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made no move in his favour. As a last bid for more energetic support, he broke the promise made in his declaration, and on June 20 assumed at Taunton the title of king. But his action, though it was greeted with applause on the spot, excited more ridicule than enthusiasm in England generally. It seemed preposterous that the son of Lucy Walters, at the head of a rabble of miners and peasants, should set a price upon the head of his rival at Whitehall, who was surrounded by all the pomp and circumstance of a court. It was a misfortune for Monmouth, too, that his name was James, and that he had to be proclaimed as James II. It was so confusing to have two kings of the same name that the rebels in Somerset were forced to call their leader King Monmouth.

While Monmouth's pretensions were bold and far-reaching, his actions were vacillating in the extreme. He had originally planned an attack upon Bristol, but he relinquished it at the last moment on June 25. Then he marched towards Wiltshire, but went no further than Frome. There it was proposed to advance northwards to the Severn valley in order to join hands with forces which were expected from Cheshire. But the proposal was rejected, and at Bridgwater Monmouth, finding the enemy in strength on his flank, determined on July 5 to surprise them in their camp on Sedgemoor by a night attack. The enterprise was not ill planned, and till the last moment there was a good chance of success. But the interposition of a wide ditch, which it was difficult to cross in the darkness, checked the rebels and gave the king's troops time to prepare a hasty defence. Monmouth's horse under Grey proved as untrustworthy as at Bridport, and fled early in the battle. But the infantry, largely composed of Mendip miners, offered an obstinate resistance until their ammunition was exhausted, and the royalist soldiers succeeded in crossing the ditch. Even then the rebels, armed for the most part with scythe-blades tied to the end of poles, sold their lives dearly, till the arrival of cannon drove them in hopeless disorder from the field.[1]

Monmouth, who had displayed no lack of courage in the field, fled from Sedgemoor when defeat became inevitable. For

[1] For the battle of Sedgemoor and the previous movements of Feversham, see *Stopford-Sackville MSS.* (Hist. MSS. Comm., 1904), i., 4-19.

two days he evaded detection, but on July 8 he was discovered in the New Forest and carried to London. His life was already forfeited by the act of attainder, and there was no valid reason for sparing it. Broken in spirit by the hardships he had undergone, Monmouth pleaded for a personal interview with the king in letters which implied that he had an important secret to disclose. Unable to resist the temptation of making some sensational discovery, James granted the request, and the uncle and nephew met on the 13th. Nothing passed, as far as can now be ascertained, except unmanly appeals on the one side and their harsh rejection on the other. Either Monmouth had nothing to reveal, or he had repented of the temptation to purchase his life by an act of betrayal. His natural courage returned when his fate was assured, and two days later he met a painful death on the scaffold with perfect composure.[1] CHAP. XI.

Few rebellions in English history have been so ruthlessly punished as was that of Monmouth. The first brutalities after the battle, which gave an evil reputation to Colonel Kirke and his soldiers from Tangier, may be attributed to the military licence of men familiar with the rude reprisals of African warfare. But they were followed by the cold-blooded prosecutions of the special circuit through the disturbed counties, which was entrusted to Jeffreys. It is difficult to say whether greater horror was excited by the vindictive denunciations of the judge, or by the severity of the sentences which he imposed. Both have combined to give to the circuit the name of "the bloody assizes," by which it will always be known. More than 300 persons were put to death, and more than 800 were sold to slavery in the West Indian plantations. That James regarded this severity with approval at the time is proved by the tone of his letters to William of Orange,[2] in which he complacently speaks of Jeffreys as "making his campaign in the west," and by the grant of the great seal, recently vacated by the death of Lord Keeper Guilford, as a reward to the vindictive judge.

It was fortunate for James that, during the session of

[1] For an account of Monmouth's death, see *Somers' Tracts*, i., p. 216; Bramston, pp. 188-98; Evelyn, July 15, 1685; Luttrell, i., 353.

[2] A considerable number of these letters are printed in Dalrymple, ii., App. i.; see especially p. 164.

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parliament and the double rebellion in Scotland and England, he had not to deal with any awkward complication in foreign affairs. The immediately outstanding questions of European politics had been provisionally settled in 1684 by the twenty years' truce.[1] But the old jealousies were as rife as ever. The powers which were hostile to France suspected Louis XIV. of an intention to transform his temporary occupation of the disputed territories into permanent possession, while in the background there loomed the ever-approaching problem of the succession in Spain. In fact, this problem became for the moment more prominent in 1685 than it had been at any time since the treaty of Aix-la-Chapelle. The second infanta, Margaret, who had carried her claim to the Austrian Hapsburgs by her marriage with Leopold I., had died leaving an only daughter, Maria Antonia. The young archduchess was wooed and won by the Elector of Bavaria, whose services in the Turkish war made refusal impossible. To prevent, however, the transference of an inconvenient pretension to the house of Wittelsbach, Leopold obtained from his daughter a renunciation of any eventual claim to the Spanish crown in favour of his own second son by a later marriage. In return Leopold promised that the elector should be appointed governor of the Spanish Netherlands. This transaction, which was without validity in Castilian law, came to the knowledge of Louis XIV. He instructed his envoy to warn the King of Spain that such an appointment would be regarded by France as a hostile act, and he seized the occasion to re-assert the claims of the dauphin to the Spanish succession. An assurance from Madrid that no such appointment was contemplated averted any immediate quarrel, and James expressed his delight that the maintenance of peace was assured.[2] But the open announcement of Louis' intention to add the Spanish inheritance to the already menacing power of the house of Bourbon was enough to excite the misgivings of the other states. And their alarm was the keener because the Emperor Leopold, the natural leader of opposition to such a design, had his hands full with his war against the Turks.

[1] See above, p. 231.

[2] Louis to Barillon, April 24, and Barillon to Louis, April 30, in Fox, App., pp. lxiv and lxv. See also Klopp, *Der Fall des Hauses Stuart*, iii., App., 436.

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To the two camps into which Europe was divided, the accession of James was an event of immense interest. On both sides there were fairly confident expectations of gaining his support. Ever since the notable conference of English catholics in 1669, James had held firmly to the conviction that the interests of his religion were bound up with those of France. In the later years of the preceding reign no one had more strenuously advocated a good understanding with France, and he had been admitted to the secret of the verbal treaty of March, 1681. Louis, therefore, had good reason to anticipate that James would continue the dependent relations with France which had then been established, and that England at the worst would observe a benevolent neutrality if the French monarchy should be opposed by a hostile coalition. In this belief he ordered the payment to the new king of the sum of 50,000 *livres*, which was received with tears of gratitude.[1] On the other hand, James was known to cherish ambitious desires of naval and military renown. For some eventful weeks in 1678 he had been eager to head an English army in a war against France. He was both uncle and father-in-law of the most resolute opponent of Louis XIV., William of Orange. The prospective league against France was in no sense a protestant confederation. On the contrary, it would include the great Roman catholic states of Spain and Austria, and the pope himself, who had some claim to the allegiance of a catholic king, was on their side. Many men thought that James would be less tolerant than his easy-going predecessor of the way in which the French envoy had subsidised the opponents of the crown when it suited France to encourage parliamentary resistance. Above all, James' first act had been the summons of a parliament. Public opinion in England was admittedly hostile to France, and the allied powers had long looked forward to a good understanding between the English crown and parliament as the essential condition of active English intervention on their behalf. On these and other grounds, there were great hopes at the Hague, Madrid, and Vienna that the new king might be induced to join in opposing an ambition which was as dangerous to English interests as to the balance of power in Europe.

[1] Barillon, February 26, in Fox, App., p. xxix.

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For some months Whitehall was the scene of a strenuous diplomatic courtship. At first France made the most of its better start. James and his two chief ministers, Rochester and Sunderland, were in constant communication with Barillon. The king spoke more openly of his religious plans to the French envoy than he did to his own confidential advisers.[1] The ministers went so far as to demand that Louis should continue to James the annual subsidy which he had agreed in 1681 to pay to Charles. But the French king had no intention of spending money unless he was assured of an equivalent return. One of the conditions of the agreement of 1681 was that Charles would abstain from summoning a parliament. James had felt it necessary to make humble excuses to France for convening the assembly, but in spite of his protestations French interests were threatened. If the parliament should grant lavish supplies, its loyalty might tempt the king to gratify English opinion by thwarting France. In that case the French pension might actually be employed against the prince who paid it. Besides, Louis had another and less costly method of securing English neutrality. If James would return to the policy of the treaty of Dover, sufficient discord would be created between him and his subjects to prevent England from embarking in any ambitious scheme of foreign policy. Hence Louis tightened his hold of the purse-strings. He had actually sent more money to Barillon, but he forbade him to pay any of it without express order from himself, and ultimately re-called it to France.[2] The envoy, who had indiscreetly admitted the receipt of the money, was hard pressed to devise excuses for withholding it from the eager hands of James.

While this comedy was going on, both Louis and Barillon continued to press upon James the need of immediate relief for the Roman catholics. But for a time it seemed as if French diplomacy had over-reached itself. James was annoyed by the withholding of supplies which he had been led to believe were on the way to his exchequer. His parliament not only made lavish grants, but abstained from all efforts to control his foreign policy.[3] William of Orange placed James

[1] Barillon, Feb. 26 and April 16, in Fox, App., pp. xxxiii and lx.
[2] Fox, App., pp. lxiii, lxxi, lxxxvii, xcix, cii, cxiv.
[3] Barillon, June 7, in Fox, App., p. xcvii.

under an obligation by the alacrity which he displayed in sending over the Scottish and English regiments. The king was not unwilling to teach Louis a lesson as to the dangers of excessive parsimony, and the assiduity with which his alliance was courted gave him a thrilling sense of his own importance as the arbiter of Europe.[1] Amid no small astonishment, Halifax emerged from the shadow of royal neglect and was employed in negotiations with the Dutch envoys. On August 7 the various treaties concluded with the Dutch since that of Breda in 1667 were formally renewed. The agreement was excused to Louis as a mere formality, but he refused to look upon it in that light, and believed that it might prove the beginning of a league of malcontent states against France.[2] The other powers were exultant, and the imperial envoy, Count Thun, drew an enthusiastic contrast between the present condition of the English court and the days when the most influential persons in Whitehall were the French mistress and the French ambassador.[3]

In the autumn of 1685 James was at the height of his power, and he had good grounds for elation. He had obtained from his English and Scottish parliaments a larger revenue than had been enjoyed by any previous king, and both assemblies had shown an almost feverish desire to gratify his wishes in other respects. He had put down two rebellions with consummate ease, and had inflicted severe punishment upon both leaders and followers. In England he had at his disposal a stronger army and navy than any of his royal predecessors had collected in time of peace. Foreign powers were so eagerly competing for his friendship that he seemed to hold the fate of Europe in his hands. But Louis XIV. was not so wrong in his calculations as in a moment of chagrin he had been inclined to believe. James was carried away by his success, and over-confidence led him to fall into the very trap which had been baited by the French king. He owed his triumph to the deliberate concealment of his religious designs. These designs, however, had only been postponed, and the time seemed to have come for their fulfilment. He could now

[1] Despatch of Count Thun, the Austrian envoy, in Klopp, iii., 37-38.
[2] Louis to Barillon, Aug. 24, in Fox, App., p. cxviii.
[3] Klopp, iii., 75-76.

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command where before he had cajoled. Whereas at first he had been grateful to the Church, he now conceived that the Church ought to be grateful to him for protection against its enemies, and that its gratitude could best be shown by allowing the king to give substantial relief to the adherents of his own faith.

There were two alternative directions in which the Roman catholics might look for relief.[1] One was the repeal of the penal laws and the grant of freedom of worship. The other was the repeal or suspension of the two statutes which excluded them from political life, the test act of 1673 which rendered them incapable of political or military office, and that of 1678 which had expelled them from both houses of parliament. If the English catholics could have been polled, they would by a large majority have preferred the former alternative as infinitely the safer and more indispensable. But the more ambitious of them put the acquisition of power before every other consideration. And it was the extreme section which gained the ear of the king. Early in his reign James had formed the habit of holding private consultations with a few of the leading Roman catholics at court. Prominent among these men were Edward Petre, a Jesuit of good family, who had been imprisoned at the time of the popish plot and was now rewarded with the post of clerk of the closet and a suite of apartments in St. James's; Henry Jermyn, a famous debauchee of the late reign, who had turned from pleasure to religion, and was raised to the peerage in May, 1685, as Lord Dover; and Richard Talbot, also an evil liver, who was destined to a brief period of prominence as Earl of Tyrconnel. In the course of 1685 they gained no less an ally than Sunderland,[2] and his adhesion gave them a political influence which otherwise they could hardly have gained. Sunderland felt himself to be overshadowed by Rochester who, as long as James retained the confidence of the English Church, was the natural and almost inevitable chief minister. To supplant his rival, it was necessary to break the alliance between Crown and Church, and this could most easily be

[1] See Reresby, p. 324.

[2] See Campana de Cavelli, ii., 75-76, for a very unfavourable estimate of Sunderland by the envoy of Tuscany.

accomplished by urging James into precipitate measures on behalf of Roman catholicism. On July 16, Barillon reported that Sunderland was fully informed of all that had passed between the king and himself on the subject of religion, and James admitted that he had spoken more clearly to the earl than to his other ministers.[1] CHAP. XI.

Circumstances favoured the designs of Sunderland and his associates. James had taken advantage of Monmouth's rebellion to increase his standing forces and to grant numerous commissions in the army to Roman catholics. He was resolved to keep these men in his service in defiance of the law. Thus his primary needs were additional supplies for the payment of his troops and the repeal of the test act of 1673. With these objects he included the repeal of the habeas corpus act, which in his eyes was as destructive to the monarchy as the test was to the catholic religion.[2] It was in vain that the representatives of old catholic families pleaded for a modification of the penal laws, which with due caution might have been peacefully brought about. As early as July, James had asserted to Barillon that "the possibility of holding offices and employments would make more catholics than a permission to celebrate the mass in public".[3] It was not difficult for Sunderland and Petre to persuade the king to adhere to the more combative design.

The first obstacle which confronted James was in his own council. Halifax positively refused to support the repeal of the test and habeas corpus acts. In a private interview the king tried in vain to overcome his reluctance, and on October 21 the name of the great opponent of the exclusion bill was erased from the privy council. His downfall made a profound impression both at home and abroad. Zealous protestants deplored the removal of one who had always been the resolute opponent of popery. Foreign statesmen, who had anticipated that the treaty with the Dutch would be followed by an alliance with Spain, felt their confidence weakened by the fall of the minister upon whose active support they had relied. Louis XIV. avowed his exultation at the disgrace of a man who had

[1] Fox, App., pp. cvii and cix.
[2] Barillon, Oct. 29, in Fox, App., p. cxxvii.
[3] Barillon, July 16, in Fox, App., p. cvi.

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always shown himself "so devoted to the interests of Spain and so hostile to the catholic religion".[1]

While James was preparing to bring forward the distasteful demand that his Roman catholic subjects should receive better treatment from their protestant fellow-countrymen, the ally who had insidiously urged this policy upon him was engaged in proving to the world how oppressive and intolerant a Roman catholic ruler could be. Ever since 1678 Louis XIV. had been striving to enforce religious uniformity in France. Although the loyalty of the Huguenots was as undeniable as their industry, they were gradually deprived of one privilege after another. In 1685 Louis resorted to more brutal methods, and borrowed from Scotland the plan of quartering troops upon obstinate recusants. The *dragonnades*, as they were called in France, drove many protestants to seek safety abroad, but at the same time produced so many compulsory conversions that Louis saw success within his grasp. On October 12 he revoked the edict of Nantes, by which Henry IV. in 1598 had guaranteed to the Huguenots freedom of worship and civil liberties. Emigration, in spite of all efforts to prevent it, at once assumed enormous proportions. Protestant countries offered a warm welcome to the exiles. In England large subscriptions were raised to assist the impoverished immigrants. James himself, in the hope of conciliating public opinion, gave his approval to the collection of funds, and contributed to them from his privy purse.[2] William of Orange expressed his belief that Louis' harsh measures were inspired, not merely by bigotry and a despotic craze for uniformity, but rather by subtle policy. If the protestants could be provoked into retaliatory measures, the alliance of protestant and Roman catholic states might be broken off, and France would be free in the future from the risk of such a coalition as had been formed in 1673 for the defence of the Dutch republic.[3] If Louis really cherished such far-sighted designs, they were foiled, partly by the prudence of William, who used all his influence to prevent retaliation, and partly by the fact that the chief catholic rulers, with the pope at their head, expressed

[1] Louis to Barillon, Nov. 16, in Fox, App., p. cxxxiii.

[2] Burnet, iii., 82.

[3] See the remarkable report by Kramprich, the imperial envoy at the Hague, in Klopp, iii., 438-40.

strong disapproval of the barbarous methods of conversion employed in France. CHAP. XI.

It was unfortunate for James that protestant susceptibilities should have been outraged on the eve of the second session of parliament. Special stress was laid upon a speech of the Bishop of Valence in which he called upon the triumphant Louis to aid the pious King of England in gaining a similar victory over heresy.[1] But in spite of discouraging circumstances, James was confident that he was strong enough to overawe opposition. His opening speech on November 9 was uncompromising in its bluntness. He declared that the recent rebellion had proved the militia to be incompetent and untrustworthy. He had therefore increased the regular army, and demanded funds for its maintenance. In that army he had appointed officers who were not qualified by law. But he could guarantee their fidelity from his personal knowledge, and he was determined to retain them in his service.

The proved loyalty of the parliament was strained to breaking-point by the brusque demand that they should abandon two of the strongest convictions of the tory majority, that a standing army was dangerous to their interests, and that the test act must be maintained as a bulwark of the established Church. Strenuous efforts were made to organise opposition to the king's demands, and old parliamentary hands gave the assistance of their experience and advice.[2] Indirect aid came from an unexpected quarter. Louis XIV. may have desired the restoration of Roman catholicism in England, but he desired infinitely more strongly that England should be impotent to thwart his designs. He had not forgotten that James had made a treaty with the Dutch, and he knew that he had listened without disfavour to the overtures of Spain. On the very day on which parliament met, he wrote to Barillon that he would not be annoyed if James should meet with difficulties in parliament. While continuing to urge upon the king the supreme obligation of insisting upon catholic relief, the envoy was instructed to hint to the opposition leaders that the connexion between his master and James was not close enough to injure them, and that they might act freely without any fear of France.[3]

[1] Evelyn, Nov. 3, 1685. [2] Barillon, Nov. 26, in Fox, App., p. cxl.
[3] Louis to Barillon, Nov. 19, in Fox, App., pp. cxxxvi and cxxxvii.

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A long and animated debate in the commons opened on November 12. The first trial of strength took place on a motion that the consideration of the paragraph in the king's speech relating to supply should take precedence of that which referred to the army and the test. In spite of great exertions on the part of the ministers, the opposition carried the day by one vote. It was noted as especially significant that several holders of office under the crown were included in the majority. The ultimate defeat of the court party was assured from this moment, as many who had at first hesitated were emboldened to join the winning side. In direct antagonism to the king's insistence upon the need of a permanent army, a bill was prepared for increasing the efficiency of the militia. But the chief business of the house was the drafting of an address on the employment of Roman catholic officers. In this it was pointed out that these men were by law incapable of holding commissions, and that their incapacity could only be taken off by act of parliament. Out of respect for the king, the commons would prepare a bill to indemnify them for the penalties which they had incurred. But as their continuance in office without an act of parliament would be an infringement of the law, the house besought the king "to give such directions therein, that no apprehensions or jealousies may remain in the hearts of your majesty's most loyal subjects".

This address, in spite of its respectful and rather ineffective wording, was a virtual rejection of the king's most imperative demand. James determined that he would not give way. In his reply he rated the commons for their distrust, and declared that, however they proceeded, he would be steady in all the promises he had made to them. This brief speech, delivered "with great warmth,"[1] was received in profound silence. When the discussion was resumed, Coke, a tory member for Derbyshire, expressed the hope that they were all Englishmen, and not to be frightened from their duty by a few hard words. This indiscreet expression produced a violent reaction, and the speaker was committed to the Tower by order of the house. For the moment the court party gained the upper hand, and the commons made no effort to renew their demand. But the great question at issue was now taken up by the lords, and a series

[1] Reresby, p. 347. See also Ailesbury, i., 127, and Burnet, iii., 87.

of strongly worded speeches were delivered against the employment of Roman catholic officers. The most outspoken orator was Viscount Mordaunt, afterwards Earl of Peterborough, who declared that the maintenance of an army so officered in time of peace could mean nothing less than the establishment of arbitrary power, which Englishmen regarded with well-founded abhorrence. More significant was the intervention in the debate of Henry Compton, Bishop of London, who expressed the belief of the clergy that the abandonment of the test act would be fatal to the Church. CHAP. XI.

The debate, in which Jeffreys had vainly endeavoured to stem the tide against the court, was adjourned from the 19th to the 23rd of November. But it was never destined to be resumed. James had adopted his brother's practice of attending discussions in the house of lords, and had listened with growing anger to the denunciations of his action. On the morning of November 20 he came down to Westminster and declared the parliament prorogued until the following February.[1] By this action he lost the £700,000, at which the commons had ultimately fixed the proposed grant. But such a loss, serious as it was to a king who had nearly 20,000 soldiers in his pay, was preferable to a formal denial by parliament of the royal right to dispense with the test act. There is no reason to suppose that James had at this moment made up his mind to a dissolution. The prorogation was continued at short intervals, and from time to time the king took steps to sound members as to their willingness to comply with his wishes. If there had been the slightest prospect that the present parliament would allow the test act to be repealed or suspended, James would have allowed it to meet for another session. It was not till long after all such hopes had been abandoned that he at last dissolved the parliament in July, 1687.

[1] For contemporary comments upon this session, see Reresby, pp. 344-48; Ailesbury, i., 126-27; Bramston, pp. 210-17; Burnet, iii., 82-88; Barillon, Nov. 26 and 30.

CHAPTER XII.

THE APPROACH OF THE REVOLUTION.

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WITH the dismissal of James' first and only parliament, his short-lived alliance with the Church came to an end. Rochester, hitherto his chief minister, was thenceforth useless to him. Old associations prevented a complete rupture, and the earl was allowed to retain his exalted office for another year. But he was consulted only in finance, and was practically superseded by Sunderland. On December 4 Sunderland, while remaining the principal secretary of state, received the presidency of the council, which had been vacant since Halifax's dismissal.[1] Rochester's brother Clarendon was sent to Ireland as lord-lieutenant, but his authority was reduced to a shadow by the grant of an independent military command to Tyrconnel.

Rochester had at one time been a partisan of France, and shares with Charles II. the responsibility for the secret agreement of March, 1681. But Sunderland easily out-bade him for favour at Versailles, and as the two men became estranged, Rochester was driven into closer relations with William of Orange. Thus Sunderland's triumph was a victory for Louis XIV. The penal prorogation of parliament destroyed all the confident hopes which the allies had built upon the original harmony between the assembly and the crown. Louis had gained the same security as in 1681, but at infinitely less cost. There was no need to bribe a king whose obstinacy would either prevent him from summoning parliament or would ensure a quarrel if it were ever allowed to meet. For the second time in the decade Europe had occasion to see how arrogantly Louis could behave when English quiescence was assured. In defiance of William's sovereignty, the religious

[1] Evelyn, Dec. 4, 1685; Reresby, p. 349; Luttrell, i., 366. Ailesbury (i., 127) calls Sunderland "prime minister" at this time; see also p. 121.

uniformity which had been enforced in France was extended to the principality of Orange. French troops entered the capital, prohibited protestant worship, and destroyed the principal church. Even James could not refrain from remonstrances against this violation of his son-in-law's rights.[1] But Louis contemptuously replied that the matter did not concern England, and confiscated the revenues of Orange to his own use. Such high-handed action drove the German states to seek some safeguard for themselves. In July, 1686, the chief princes, including the King of Spain as representing the Burgundian circle and Charles XI. of Sweden for his Pomeranian lands, signed a league for mutual defence at Augsburg.

Meanwhile James in England had embarked on a policy of such blundering ineptitude as to suggest in later days the suspicion that Sunderland must have deliberately guided him to his undoing. For more than a year he set himself vengefully to humiliate the Church which had refused to become an accomplice in its own betrayal. All office-holders who had voted in the recent session against the court were dismissed, and the Bishop of London was removed from the privy council. To the dismay of loyal churchmen, the secret of the late king's conversion was disclosed. Two papers in Charles' handwriting, which summarised the arguments that had convinced him, were printed and published to the world.[2] When Compton refused without judicial process to silence a London preacher who denounced perverts to popery, James determined to deprive the Church of its inconvenient independence. Although the high commission court had been abolished in 1641 and its abolition had been confirmed in 1661, he established in July, 1686, a commission with similar powers of inquiry but with restricted rights of punishment. The new court contained three clerical members, the Archbishop of Canterbury and the Bishops of Durham and Rochester. But the president, whose attendance was necessary to make a quorum, was Jeffreys, and his lay colleagues were Rochester, Sunderland, and Chief Justice Herbert. When Sancroft excused himself from attendance on the ground of feeble health, James showed his dis-

[1] See the correspondence about Orange in Dalrymple, ii., App. i., pp. 158-61.

[2] *Life of James II.*, ii., 9. See also an interesting statement by Evelyn, Oct. 2, 1685.

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pleasure by excluding him from the privy council, and filled his place on the commission by appointing a fifth layman, Lord Mulgrave.[1] The first act of the court was to deal with Compton. In spite of the cogency of his defence, royal dictation procured his suspension from the discharge of his spiritual functions.

While James was engaged in bullying and coercing the established Church, he was also active in promoting the cause of Roman catholicism. As the parliament had refused to repeal or modify the tests, and as it had never even considered the question of the penal laws, the king had perforce to fall back upon the exercise of his prerogative. To obtain confirmation of his dispensing power he applied to the judges for their assistance. Those who refused to promise compliance with the royal wishes were promptly removed from the bench and their places filled with less learned but more docile successors. Before a packed court a carefully prepared case was brought. Sir Edward Hales, a convert to Roman catholicism, who had accepted a military commission, was sued by his coachman, Godden, for not having complied with the conditions of the test act. Hales pleaded a *non obstante*, by which the king had dispensed in his case with the obligation to take the test. Herbert, the chief justice, delivered a strongly worded judgment in favour of the defendant, and this was assented to by all his colleagues on the bench except one. The single dissentient, Street, had shown himself so subservient in other matters that his action was regarded as carefully planned to refute the probable suspicion of royal influence.

Hales' case was settled in April, 1686, and its results were speedily visible. Hitherto the appointment of Roman catholics had been limited to the army: it was now extended to political, and even to ecclesiastical offices. Four Roman catholic peers, Belasyse, Powys, Arundell of Wardour, and Dover, were made members of the privy council in July.[2] Two months earlier a special warrant had allowed the master of University College, Oxford, and three fellows of colleges to hold their offices without taking the sacrament or the oaths of

[1] Evelyn, July 14, 1686; *Ellis Correspondence*, i., 144, 187, 199; Bramston, pp. 238, 248.

[2] *Ellis Corr.*, i., 149; Luttrell, i., 383.

allegiance and supremacy.[1] In December the deanery of Christ Church, which carried with it the headship of the cathedral chapter as well as of the college, was given with a similar dispensation to John Massey, an avowed Roman catholic.[2] Almost equally unpopular was the king's selection of Anglican churchmen to fill vacant sees. The bishoprics of Oxford and Chester were conferred upon Samuel Parker and Thomas Cartwright, who were thought to be better courtiers than churchmen. The archbishopric of York was kept vacant for several months, and it was confidently asserted that the king only waited for the pope's permission before giving the second dignity in the English Church to the Jesuit Edward Petre.

The weakest point in James' religious schemes lay in his relations with Rome. It is a curious coincidence that the two English rulers who desired to restore their kingdom to the old faith both came into collision with the temporal interests of the papacy. Just as Paul IV. was exasperated by the Spanish alliance of Mary Tudor, so Innocent XI. was alienated by the intimate relations of James II. with France. As an ecclesiastic, the pope approved of the religious zeal of the English king; but, as a politician desirous of weakening the ascendency of Louis XIV., he deprecated measures which made England powerless in Europe. At the beginning of the reign a private mission to Rome had induced Innocent to consecrate John Leyburn as bishop of Adrumetum, and to send him to England to exercise his episcopal functions *in partibus infidelium*. Leyburn was accompanied by Count Ferdinand d'Adda with the functions, though for a time without the rank, of papal nuncio.[3] As this informal intercourse failed to satisfy James, he determined to send a representative of noble rank to the papal court. His choice fell, oddly enough, on Lord Castlemaine, the husband of the Duchess of Cleveland, and far better known for his wife's shame than for his own merits. His instructions were to demand a cardinal's hat for Rinaldo d'Este,

[1] Evelyn, May 5, 1686; Reresby, p. 361; *Ellis Corr.*, i., 55, 98; Wood's *Life and Times*, iii., 182-84; Gutch, *Collectanea Curiosa*, i., 290.

[2] *Ellis Corr.*, i., 204, 210; Wood's *Life*, iii., 189, 197, 201; Gutch, *Coll. Cur.*, i., 294; *Clarendon Correspondence*, ii., App., pp. 472-75.

[3] Campana de Cavelli, ii., 81. Copies of Adda's despatches are in the British Museum. Some of them are printed in Campana de Cavelli, and in the appendix to Mackintosh, *History of the Revolution*.

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the queen's uncle, and a licence for Petre to hold a bishopric. Innocent was reluctantly induced to give the cardinalate to the Prince of Este, but he resolutely refused to make any concession to James' Jesuit adviser. Malicious observers chuckled over the convenient coughing-fits which constantly interrupted the pope's interviews with Castlemaine.[1] In 1687 James found it necessary to recall his incongruous envoy.

To the majority of Englishmen, and especially to the citizens of London, the altered state of things was vividly brought home by the open celebration of Roman catholic worship and by the frequency of priests and monks at court and in the streets. The opening of a chapel for the envoy of the new Elector Palatine gave rise to a popular riot. The mob tore away the crucifix, set it up on a pump, and declared that they would have no worship of wooden gods.[2] But James would not yield an inch to mob violence. To overawe the capital, he concentrated 16,000 soldiers in a summer camp on Hounslow Heath. In December, 1686, he opened the new chapel which he had built at Whitehall and entrusted its charge to Father Petre, who was also allowed to use the same apartments that James had occupied before his accession.

In spite of the external improvement in their position, the English Roman catholics had good grounds for misgiving at the end of 1686. Their gains rested solely upon the unpopular exercise of a contested prerogative. It was more than probable that the tories, if the opportunity should be given them, would express their resentment at the evasion of the test act by enforcing the penal laws in a vindictive spirit. From this danger the papists were perhaps secure as long as the present reign continued. But if James should die without leaving a male heir, the very power which was now their only safeguard might be used for their destruction. Even the birth of a son to the queen would provide no adequate security. If such a prince succeeded as a minor, it would be practically impossible to avoid the appointment of a protestant regent. Even if James should live to see a son grow to manhood, there was no possibility of dispensing with parliament for so long an interval. And, as things stood, the first demand of

[1] Welwood, p. 180. Welwood gives several curious details as to the embassy.
[2] *Ellis Corr.*, i., 118; Luttrell, i., 375.

a parliament would be for the enforcement of the laws upon which protestant ascendency had been based. CHAP. XII.

Such considerations as these compelled James and his confidential advisers to adopt the one expedient which offered any possibility of permanent success for their religious policy. The English churchmen had refused their support or connivance: but there remained another great party in the state, the presbyterians and other dissenters. They had been zealous for the exclusion bill, and their ultra-protestantism was abhorrent to James. But if they would only aid him to repeal the test acts and the penal laws, he was willing to offer them the double, and apparently irresistible, bribe of freedom from their disabilities and of triumph over the Church which had oppressed them. The cause of Roman catholicism was once more to be aided, and partially disguised, by association with the more plausible and attractive cause of religious toleration.

But before the king could hope to gain the unhesitating support of his uncongenial allies, it was necessary for him to remove from their minds all suspicion of a possible reconciliation between the crown and the tory churchmen. For the last twelve months the position of Clarendon and Rochester had been humiliating and almost intolerable. But as long as they escaped actual dismissal, there was always the possibility that they might recover their former influence over their royal brother-in-law. Rochester, to whom James was genuinely attached, was allowed to choose between the loss of place and conversion to Roman catholicism. With tears in his eyes the king urged the impossibility of keeping a minister whose interest was contrary to that which his master was bound to support.[1] Rochester went so far as to hold a discussion with the advocates of Roman catholicism. But his honest convictions and his natural impetuosity made it impossible for him to refrain from a too passionate refutation of their arguments. James was profoundly chagrined by his brother-in-law's obstinacy. On January 5, 1687, he dismissed him from the treasurership. Almost simultaneously Clarendon was ordered to return to England as soon as he had admitted Tyrconnel as lord deputy.

[1] *Clarendon Corr.*, ii., 116.

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The dismissal of the Hydes was followed by systematic "closetings," in which the king strove by personal influence to exact pledges of support from all members of parliament who were also holders of military or household offices.[1] So numerous and unhesitating were the refusals as to remove any scruples which had hitherto delayed a formal bid for the support of the nonconformists. On April 4, 1687, a declaration of indulgence was issued. It was a far more extensive measure than that which Charles II. had been compelled to withdraw in 1673. Liberty of public worship was granted to all recusants, whether Roman catholic or protestant. In order that the king might not be deprived of the services of any of his loyal subjects, no religious test was to be exacted as a qualification for office. At the same time the king renewed his promise to maintain the established Church, declared that he had no intention of disturbing the holders of what had once been monastic property, and asserted his conviction that his action would receive the approval of a future parliament.

For some months the king was flattered by the hope that the declaration would achieve its immediate object. William Penn, who had long been intimate with the king and who was regarded by many as the chief author of the declaration, headed a deputation to thank James for his championship of the cause of religious toleration. Loyal addresses of similar import were presented by independents, anabaptists, and Roman catholics. James considered himself entitled to believe that gratitude would impel the dissenters to aid him in procuring the repeal of the test act. The parliament was dissolved on July 2, and the autumn of 1687 was devoted to a deliberate manipulation of the constituencies. The royal control over municipal corporations was employed to undo what had been accomplished at the end of the late reign. Everywhere tory churchmen were removed and whigs and dissenters appointed in their place. A beginning was made in London, where the men who had headed the opposition to the court at the time of the *quo warranto* were once more promoted to municipal office. "All the jolly, genteel citizens are turned out and all sneaking fanatics are put in their places," was the wail of a tory who

[1] *Ellis Corr.*, i., 256, 259, 265; Evelyn, March 10, 1687; Reresby, p. 370.

watched the ceremonious interview between the king and the new lord mayor.[1] CHAP. XII.

It was more difficult to deal with the county constituencies, in which the country gentry had enjoyed such long and secure ascendency. But James could not afford to be satisfied with half measures, and he set himself to mould the county administration as he did that of the towns. The instruments whom he employed were the lords-lieutenant, and those who refused were promptly dismissed to make room for more compliant successors. In order to purge the commission of the peace, three questions were presented to every justice and deputy lieutenant: (1) would he, if elected to parliament, vote for the repeal of the penal laws and the test; (2) would he support candidates who were in favour of such a measure; and (3) would he live neighbourly and friendly with those of a contrary religion.[2] But, although the king sought to stimulate loyalty by a royal progress through the midland counties, the result of the inquisition among the gentry was in the highest degree unsatisfactory. Many justices were removed from the commission, but even James was hardly prepared for such a sweeping measure as the dismissal of the whole local magistracy of the country. He could not venture on a general election while the hostility of the counties was so pronounced, and the original plan of holding a parliament in November was perforce abandoned.

To the king's disappointment in the counties was added a disquieting uncertainty as to the amount of support which would be given by the dissenters. For this James himself was partly to blame. He, if any man, had reason to know that the protestant nonconformists were bitterly hostile to popery and profoundly distrustful of royal absolutism. If he was to gain their cordial support, he must give no ground for the inevitable charge that his new-born zeal for toleration was a mere cloak for the advancement of Roman catholicism, and he must avoid anything that savoured of tyrannical abuse of prerogative. Yet into these two obvious pitfalls James walked with his eyes open.

[1] Ailesbury, i., 174-76; Reresby, p. 382; *Ellis Corr.*, i., 334-35, 340; Bramston, p. 304.

[2] Ailesbury, i., 162; Bramston, p. 301; Reresby, p. 387; *Beaufort MSS.*, p. 91.

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The promotion of Roman catholics to high political office, which had begun in 1686, was continued on a far larger scale in the following year. Tyrconnel, who had been admitted to the privy council in the previous October, was not only a papist but an Irish papist, equally hostile to protestant and to English ascendency. The commission to which the treasury was entrusted on Rochester's dismissal was headed by Lord Belasyse and included Lord Dover. The privy seal was given to Lord Arundell of Wardour. To the five privy councillors already admitted were added in the course of the year Lord Castlemaine on his return from Rome, Nicholas Butler, a recent convert, and finally, in November, Father Petre himself. An indignant protestant asserted that Petre was the only Jesuit on the public council of any prince in Christendom.[1] As Sunderland had secretly declared his adhesion to Roman catholicism in May, 1687, the political preponderance of that Church was overwhelming. The inner cabinet at the end of the year consisted of Sunderland, Petre, and Nicholas Butler. When to these political appointments are added the promotion of Roman catholics to the bench, to lord-lieutenancies, to sheriffdoms, and to the commission of the peace, it was obvious that James made no effort to commend religious toleration by any pretence of religious impartiality. Even more contemptuous of popular opinion was his insistence upon a public reception of the papal nuncio in June, 1687. Men gloomily compared the ceremony with the welcome given to Cardinal Pole, and observed that Queen Mary had at least waited until parliament had repealed the laws against the formal connexion with Rome. Almost more significant of James' intentions was the arrival of three vicars apostolic in January, 1688, to share the episcopal labours of Leyburn. England was divided into four districts for their supervision, and the first step was taken towards the revival of a Roman catholic hierarchy.

While James was thus flaunting before friends and enemies alike his desire to restore the ascendency of Roman catholicism, he attacked the established Church in one of its tenderest points, its hold upon the ancient universities. For refusing to admit a Benedictine monk to the degree of master of arts in

[1] Bramston, p. 300.

deference to a royal mandate, the vice-chancellor of Cambridge was summoned before the ecclesiastical commission, browbeaten by Jeffreys, and deprived of his office. Two Oxford headships were already held by papists, and the mass was celebrated in Christ Church and University College. Not content with these gains, the king cast his eyes upon Magdalen College, the fairest foundation in the university. The president died in March, 1687, and in April the fellows received a royal mandate to elect Anthony Farmer, a pervert to Rome of dissolute character and disqualified by the college statutes. In a humble reply the fellows begged that if the king insisted upon nomination, he would be pleased to select a more eligible candidate. To this no answer was received except a curt message from Sunderland that the king expected to be obeyed. The fellows proceeded on the last legal day to elect one of their own number, John Hough. The ecclesiastical commission declared Hough's election to be null and void, but declined to press the candidature of Farmer, whose unfitness for the office had been amply proved. In August a second royal mandate enjoined the acceptance of Parker, the Bishop of Oxford. The fellows replied that there was no vacancy, and that they could not depose Hough without cause shown. To the blustering indignation of the king in person, who visited Oxford on his tour through the midland counties, they remained equally firm. Determined to compel obedience, James sent a special commission, consisting of the Bishop of Chester and two judges, to visit the college. By their decree the election of Hough was again annulled, the president's lodgings were forcibly entered, and Parker was installed. All the fellows who refused to make a formal submission were evicted from their fellowships. When Parker died in February, 1688, James gave the presidency to Bonaventura Giffard, one of the vicars apostolic who had been sent to England by the pope. Under his headship Magdalen was transformed into a Roman catholic seminary.[1]

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The fate of England in 1688 depended upon the answer to two questions. Would the protestant dissenters allow their support to be purchased by a king whose actions were in open defiance of legality and protestant interests? And would the

[1] The most important documents referring to this dispute have been collected in Bloxam's *Magdalen College and James II.* (Oxf. Hist. Society, 1885).

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English Church, in the face of intolerable provocation, remain faithful to the principle of passive obedience? The course of events brought the two questions into intimate connexion with each other. James discovered, to his immense chagrin, that the grateful addresses of 1687 failed to express the sentiments of the great majority of nonconformists, who refused to promote the combined cause of popery and absolutism. In the hope of gaining over those who still wavered, he issued on April 27, 1688, a second declaration of indulgence. In this the king renewed his former concessions, promised that parliament should meet at latest in November, and urged the return of representatives who would aid him in maintaining freedom of conscience. A week later an order in council enjoined that the declaration should be publicly read on two consecutive Sundays in every church throughout the kingdom.

This unpalatable demand shook the loyalty of the clergy to its foundations. For some days there was a struggle between the feeling of disgust and the habit of obedience, but the former triumphed. At a meeting of influential London clergy it was decided to ask the king to withdraw the obnoxious order. A petition to that effect, in which the legality of the dispensing power was called in question, was signed on Friday, May 18, by Sancroft and six of his colleagues, and was presented to the king at Whitehall the same evening. James rated the bishops for raising the standard of rebellion. His anger grew to fury when he learned the next morning that the petition was printed and circulated in the capital, and on the Sunday that the declaration had been read in no more than seven London churches. In spite of warnings he made up his mind to bring the petitioners to trial for libel. The bishops were summoned before the council on June 8, and admitted under pressure their signature of the petition. As they refused to give pledges for their attendance at the coming trial, they were sent to the Tower amidst the sympathetic plaudits of the onlookers.

Two days after the imprisonment of the bishops occurred an event of more far-reaching importance. Six years had elapsed since the queen had given birth to a child, and the state of her health combined with the king's advancing years seemed to assure the succession to Mary of Orange. But during the winter the news spread that Mary of Modena was

once more pregnant. The Roman catholics, in their exultation, talked wildly of a miracle by which the cause of the true Church was to be served. Their confident anticipations of the birth of a son impelled many protestants, equally chagrined and despondent, to prophesy that artifice would be employed to verify these forecasts. On June 10, a month before the expected time, the queen was delivered of a boy. The suddenness of her labour and other reasons prevented the attendance of several of the eminent dignitaries whose presence is usual on such occasions. It was openly reported and widely believed that the queen's pregnancy was as much a delusion as that of Mary Tudor, and that a supposititious child, introduced into the bed in a warming-pan, was to be foisted on the country as the lawful heir to the throne.[1]

From the excitement attending the appearance of an heir to the throne, public attention was diverted to the trial of the seven bishops, which opened on June 29. Their signature was proved by clerks of the council, who testified to the previous admission which the bishops had made on the assumption that it would not be used against them. When the prosecution broke down on the technical difficulty of proving publication in Middlesex, Sunderland himself braved popular displeasure by giving evidence as to the transmission of the document through his hands to the king. Two of the judges summed up for the crown, two in favour of the defendants. The jury were divided in their opinion and had to be shut up for the night. By the next morning the minority had given way, and a verdict of not guilty was returned. The delay and consequent doubt had raised excitement to fever heat. The rejoicing with which the failure of a vindictive prosecution was hailed was almost as spontaneous and exuberant as if the people were celebrating the defeat of a foreign foe. The dissenters joined in the general exultation, and among the loudest of the cheers were those of the soldiers on Hounslow Heath.

The prosecution of the seven bishops was the most impolitic act of James, and proved to be the immediate occasion of the revolution which followed. In the words of Halifax, "it hath brought all protestants together and bound them up

[1] For a strong expression of these doubts, see the letters of Anne to her sister Mary, in Dalrymple, App. i., pp. 300-10.

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into a knot that cannot easily be untied". Except Sunderland and Godolphin, there was no prominent politician who could be trusted by the king. Rochester, still sore at his dismissal, held gloomily aloof both from ministers and from their opponents. But his brother Clarendon was intimately associated with the bishops, and had been a party to the discussions at which their protest had been agreed upon. Nottingham, another active leader of the Church party, was equally resolute to resist the abolition of religious tests. Danby, with whom James had never been reconciled, was no lover of an administration which favoured popery, truckled to France, and excluded himself from office. With these champions of Anglicanism were allied for the moment men whose principles were in many respects antagonistic to their own. The Earls of Devonshire and Shrewsbury, Henry Sidney and Edward Russell, represented the once-powerful whig party. They looked at the situation from the standpoint of advocates of the exclusion bill, and were not prepared to allow any dynastic claims to come into competition with the vital needs of the nation.

There was another politician to whom men might naturally look as a leader of opposition to the king. Halifax had incurred the bitter enmity of the whigs when he denounced the exclusion bill, accepted office under Charles II., and encouraged the attack on municipal liberties. But he had since recovered even more than his old popularity by the courageous stand which had led to his dismissal in 1685. In the great crisis of 1687, when Crown and Church were eagerly competing for the support of the protestant nonconformists, his famous "Letter to a Dissenter," one of the most influential of political pamphlets, had helped to foil the policy of the court. Both by temperament and by his past record, Halifax seemed better fitted than any other Englishman to serve as a link between the two wings of the opposition, the tory churchmen on the one side, and the whigs with their nonconformist supporters on the other. But Halifax had the defects of his qualities. He was a debater rather than a man of action. From anything that might lead to open rebellion he instinctively shrank. And in his estimate of future dangers he differed profoundly from those with whom he might have been expected to co-operate.

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The dangers upon which the gaze of the opposition leaders was concentrated were three in number. In the first place there was the risk that the king might succeed in his efforts to obtain a packed and manageable parliament. The suspension of the tests would enable the Roman catholic peers to return. The king could create peers at will, and Sunderland was said to have significantly remarked that a troop of guards might be sent to the upper house.[1] As to the commons, the boroughs returned a majority of members, and the boroughs had been deliberately regulated for the purpose of controlling the elections. The attempt to manipulate the counties had been less successful, but enough had been done, especially in the appointment of sheriffs, to justify the fear that the returns might to some extent be swayed or even falsified in the interests of the court. And if James once obtained a docile parliament, constitutional opposition would be paralysed. The second danger was that, if legal methods failed, the king might employ force to attain his ends. His army in England was dangerously numerous, and it was largely officered by Roman catholics. It was notorious that Tyrconnel had deliberately weeded out protestants from the forces in Ireland. The employment of Scottish troops for the coercion of England had been an old scheme of Lauderdale and of James himself before his accession. And behind all the native soldiers in the three kingdoms was the possibility that French auxiliaries might be called in. It is true that the loyalty of the English troops was not above suspicion, and that they could not be trusted to co-operate with alien forces. But, even after making all deductions, the king seemed strong enough to defy any purely domestic opposition. The third and most remote danger was the perpetuation of a popish dynasty. This might be averted by a number of accidents. The infant prince might, in the words of his unsympathetic half-sister Anne, "soon become an angel in heaven". Or the king might die in time to allow of the conversion of his youthful successor and the appointment of a protestant regent. But it was dangerous to trust to such possibilities, and if steps were necessary to prevent a succession of Roman catholic rulers, it was imperative to take them while the vast majority of the people doubted the genuineness of the child.

[1] Dartmouth's note in Burnet, iii., 249.

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The more resolute of the malcontents were persuaded of the reality of these dangers. Halifax was not. His analysis of recent events convinced him that the ultimate failure of James' schemes was assured, and that a waiting policy was far safer than immediate action.[1] With these views Nottingham came ultimately to agree,[2] and though he had gone further than Halifax in the schemes of the opposition, he drew back at the last moment.

The leaders of the party of action were by no means blind to the difficulties in their way. The history of the great civil war proved that it was easier to begin a revolution than to direct its course. If they were successful, the movement might pass to the guidance of men who wished to restore republican rule. If they failed, the cause of protestantism would be in a worse plight than ever. And in the meantime it was impossible to move a step unless they could secure a leader who would command the confidence of moderate men, and who would preserve harmony in a coalition formed of jarring elements. So obvious was this last difficulty that a solution had already been sought and found. Early in 1687 it had been practically decided to do nothing except in concert with William of Orange. William's interests assured the maintenance of monarchy and of orderly government. He himself was a Calvinist and an avowed advocate of toleration. His wife had been educated by Compton in the principles of the Church of England. Thus whigs and tories were equally reassured as to the future. Above all, William could hope to supply that minimum of naval and military strength without which the opposition might be crushed at the outset before sympathisers had mustered up courage to declare in its favour.

William had long watched all the actions of James with as keen a scrutiny as the most ardent of domestic partisans. In the autumn of 1686 William Penn had been sent to the Hague to solicit the prince's approval of the policy of indulgence, which was already in contemplation. But William was too keen-sighted and too well-informed to fall into the snare. He replied that he would favour the repeal of the penal laws,

[1] See his important letter in Dalrymple, ii., App., pp. 219-222, and in Foxcroft, i., 495-98.

[2] See Nottingham's letter to William, in Dalrymple, ii., App., pp. 236-37.

but that he considered the maintenance of the test acts as necessary to the defence of a protestant Church. By drawing this firm distinction between liberty of conscience and eligibility to office, William satisfied the moderate Roman catholics and the moderate protestants, and proved his sympathy with those who on various grounds condemned the king's measures. In 1687 Dykvelt, sent over on a special embassy to inquire into the rumours of an Anglo-French alliance, spent most of his time in establishing relations with the leaders of opposition. He carried back with him a bundle of letters in which the writers, including Rochester and Churchill, professed their devotion to William. Similar communications took place with another confidential agent, Zuylestein, who was sent to England later in the year.

The outcome of these embassies and of the resultant correspondence was a tacit agreement that, when overt action should become necessary in England, it would be concerted with William and carried out under his guidance. What that action was to be and when it was to be undertaken, were matters to be determined by circumstances. In the end the first impulse came from William, and was dictated by considerations of external rather than of domestic politics. After the defeat of Monmouth, the six English and Scottish regiments had returned to the United Provinces. In 1686 James' demand that they should be placed under Roman catholic officers was firmly refused by the States. At the beginning of 1688 he was induced by Sunderland and Barillon to recall the troops. But at this moment the Dutch were alarmed by French intrigues which threatened to make Louis XIV. master of the electorate of Cologne, through which his troops had invaded their country in 1672. Unwilling to weaken their own forces or to strengthen a possible ally of France, they refused to admit that they were bound to release the troops from their service. James was exasperated, and suspected that William was planning a great protestant league.[1] Louis XIV., always eager to sow dissension between England and Holland, urged him to intimidate his neighbours by fitting out a fleet. James allowed anger to prevail against caution, and fell into the trap laid by his more astute cousin. In March he peremptorily

[1] See the letters of Adda in Mackintosh, App., pp. 649-51.

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ordered the return of all British subjects from the service of foreign states. On April 19 he concluded an agreement with Louis, who undertook to pay half a million *livres* for the equipment of the English fleet and for the maintenance of 2,000 of the soldiers who should quit the Dutch service.

These events convinced William that unless he could make practical use of discontent in England, that country would be committed to an intimate alliance with France. In May he told Edward Russell that he was prepared to lead an armed force to England, if he should receive a definite invitation from men of influence in the state. The success of Russell's mission was assured by contemporary events in England. The birth of the Prince of Wales put an end to the consoling hope that the course of nature would eventually restore the crown to a protestant sovereign, while the excitement over the trial of the bishops showed how completely James had forfeited the affection and confidence of his subjects. On June 30, the very day on which the populace was celebrating the acquittal of the bishops, a letter to William was signed by Lords Shrewsbury, Devonshire, Danby, and Lumley, Bishop Compton, Edward Russell, and Henry Sidney. On the express ground that the present state of things was likely to be made worse by changes in the army and by the summons of a packed parliament, they urged him to come over with an adequate force before the end of the year. At the same time they gently remonstrated against his action in recognising the birth of the alleged prince, whose "false imposing upon the princess [Mary] and the nation is certainly one of the chief causes upon which the declaration of your entering the kingdom in a hostile manner must be founded upon your part, though many other reasons are to be given on ours".[1] This incriminating document was entrusted to Admiral Herbert, one of the most experienced of English seamen, who had been dismissed for refusing to support the repeal of the test act. Disguised as a common sailor, Herbert succeeded in crossing over to Holland, where he was rewarded with the post of admiral in the Dutch service.

All hesitation upon William's part was now at an end. He had himself demanded an invitation to England, and he could

[1] The letter is printed in full in Dalrymple, ii., App. i., p. 228; and in Mackintosh, App., p. 692.

not honourably desert those who risked their lives by complying with his request. There is no reason to suppose that he had clearly defined in his own mind the ultimate outcome of his intervention. He did not set out with the intention of deposing James and gaining the crown for himself. What he did intend was to obtain, with the help of the malcontents, such a hold upon England as to be able to dictate its foreign policy. Just as the primary aim of Louis XIV. was to prevent an alliance between England and the United Provinces, so the primary aim of William was to bring about such an alliance. And undoubtedly the best method to achieve his end was to secure his wife's succession to the English throne by excluding the unwelcome and unexpected heir. The letter from the seven suggested this expedient, and the first fruit of its reception was that the prayers for the infant prince were summarily discontinued in William's private chapel.[1]

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William's task would have been comparatively simple if he had been an absolute ruler, and had nothing but the affairs of England to consider. But on the one hand, he had to deal with a republic always jealous of anything which savoured of despotism, and with a hostile party which for generations had set itself to thwart the house of Orange. All his schemes would be foiled if the Dutch refused the necessary supplies, or if they declined to allow the state to be left undefended by the removal of its fleet and of a large part of its army. And, on the other hand, William was the ally of Roman catholic powers such as the pope and the Emperor and the King of Spain. They might be alienated if he undertook an enterprise which could not fail to be represented as a protestant crusade against a loyal champion of Roman catholicism. It was always possible that James and Louis might jointly declare war against the Dutch. Such an action would possibly provoke rebellion in England, and lead to a revolution. But William, detained at home by the necessity of defence, could not hope to direct such a revolution which, without his guidance, would probably end in the establishment of a second republic.

It was a situation demanding the utmost wariness and self-control, and never did William display these qualities to

[1] Avaux, vi., 169, 174; Campana de Cavelli, ii., 240.

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greater advantage than in the critical three months which followed the receipt of the invitation from England. In the United Provinces the battle was already half won. Dutch protestantism had been outraged by the persecution of the Huguenots and the revocation of the edict of Nantes. Their commercial interests had been injured by the heavy duties imposed upon their imports into France, which Louis obstinately refused to modify.[1] Their passionate love of independence had been alarmed by James' demand for the recall of the British troops and by the rumours, industriously spread or manufactured, of an alliance between England and France. All the efforts of Avaux, the French ambassador, to stir the anti-Orange party into active opposition ended in failure. William was allowed a free hand in the collection of ships and troops. When, at last, the matter was forced upon the attention of the States, they tacitly admitted that in the interests of the republic William's expedition was entitled to national support.

In continental politics the course of events also played into William's hands. The protagonist upon the European stage was Louis XIV., whose interests and outlook were even wider than those of the Prince of Orange. The main thread which serves as a guide through the labyrinth of French diplomacy at the time is the question of the Spanish succession. Louis was determined so to direct its settlement as to secure the profit of France, or at any rate to prevent the aggrandisement of the house of Austria. As the Spanish question would almost inevitably lead to ultimate war with the Emperor, he wished to strengthen the French frontier on the side of Germany, and to do so while the Emperor's hands were tied by the Turkish war. In regard to these outstanding problems his relations with England were of great importance, but still subsidiary. On the whole, the safest policy was to prolong English disunion and impotence by upholding James. If Louis could have foreseen the future, he would have done well to subordinate for a time his continental aims. But at the moment other interests bulked more largely in his eyes, and though he was keenly attentive to events in England, he

[1] Avaux, vi. *passim.*

allowed them ultimately to take a course which proved in the highest degree disastrous to France. CHAP. XII.

The year 1688 was fraught with misfortune for Louis XIV. For the first time since he assumed the reins of government he met with a series of rebuffs. It was not surprising that he failed in his efforts to obtain from the Spanish king and ministers some recognition of the eventual claims of the dauphin, although he expressed his willingness to secure the severance of the two crowns by allowing the transference of the actual succession to his second grandson, to whom of deliberate purpose he had given the name of Philip.[1] More bitter disappointment was caused by his failure to gain to the side of France the young Elector of Bavaria, whose marriage in 1685 to the Emperor's daughter, Maria Antonia, had given to the Wittelsbachs a strong claim to the coveted Spanish inheritance. By appointing Max Emmanuel to command the Austrian army in the east, Leopold checkmated France and secured the allegiance of his son-in-law. The Turks had now been driven from Hungary, which in 1687 had granted hereditary possession of the crown to the Hapsburgs. Belgrade was attacked in 1688, and it was confidently expected that its fall would compel the Turks to accept a humiliating peace. If this anticipation were verified, Louis would find himself at the end of the year face to face with a resolute enemy, who could command the services of a veteran army accustomed to victory. At this critical moment the death of the Elector of Cologne gave Louis an opportunity to plant a nominee of his own on the Rhine. The fate of Europe, and with it of England, turned upon the choice of the new elector.

French influence had in the previous January secured the election of Cardinal Fürstenberg to the coadjutorship in Cologne, and in normal circumstances his succession to the see would have followed as a matter of course. But Leopold was certain to strain every nerve to exclude a French nominee, and the pope was equally hostile. Since 1682 Innocent XI. had been engaged in a quarrel with the French king which recalled that of Boniface VIII. with Philip IV. In 1687 it had been embittered by Louis' refusal to surrender the abusive right of

[1] Legrelle, *La Diplomatie Française et la Succession d'Espagne*, i., 307, 321.

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sanctuary enjoyed in Rome by the residence of his ambassador. To effect the exclusion of Fürstenberg from the archbishopric, pope and emperor supported the rival candidature of Clement of Bavaria. In the end neither candidate obtained the requisite majority of votes, and in accordance with the German concordat of 1448 the choice of an archbishop devolved upon the pope. This was a terrible blow to French prestige, and Louis determined to support his candidate by force. By the third week of August his plan of campaign had been prepared. The dauphin with one army was to lay siege to Philippsburg. At the same time other French forces were to converge upon the Palatinate, where Louis had for three years advanced claims on behalf of the Duchess of Orleans. To the threat of armed intervention Innocent promptly replied by announcing his decision in favour of Clement of Bavaria. Before the end of September Avignon was in French occupation, and the main French army had surrounded Philippsburg.

The importance of these events to William and to the fate of England was inestimable. The attempt to establish French influence in Cologne was a direct menace to the Dutch, and justified in their eyes all William's military preparations. At the same time the decision of Louis to send his armies into Germany freed them from the fear, either that their own territory would be assailed in force, or that efficient French aid would be given to James. Above all, the open defiance of pope and emperor prevented any protest against William's expedition upon religious grounds. To gain England was to attack France in its most vulnerable point, and religious scruples have rarely prevailed against obvious political interests. Innocent was allowed to retain the convenient belief that William's camp at Nimeguen was solely formed for the purpose of resisting the French. To the Emperor, too important an ally to be kept in the dark, William declared that he had no intention of claiming the English crown, that he would use all his credit to secure liberty of conscience to the Roman catholics, and that his sole object was to restore such harmony between the king and his subjects that England might join in defending the welfare of Europe.[1]

Meanwhile nothing took place in England which seriously

[1] Campana de Cavelli, ii., 295; Dalrymple, ii., App. i., p. 254.

militated against William's prospects of success. James had learned no wisdom from the acquittal of the seven bishops. "So much the worse for them," he had growled when he heard the plaudits of his troops, and in this temper he had continued for some weeks his unpopular policy. On July 4 the two judges who had favoured the cause of the bishops were removed from the bench. On the 7th, to satisfy the complaints of the nonconformists that they had no fair share of political promotion, Sir John Trevor, Silas Titus, and Christopher Vane, a son of the famous Sir Harry Vane, were admitted to the privy council.[1] The archdeacons were ordered to send to the ecclesiastical commission full returns of all clergy who had refused to read the declaration of indulgence,[2] and Timothy Hall, one of the few London clergy who had complied with the royal command, succeeded Parker as Bishop of Oxford.[3] On August 24 the council decided that writs should be issued for a parliament to meet on November 27, but the parliament which James contemplated was a packed assembly of Roman catholics and dissenters, whom he still hoped to bend to his wishes. CHAP. XII.

James' foreign policy was equally foolish. He had two alternatives, either of which would have given him a good chance of safety, a close alliance with France or with the enemies of France. But he would have neither. By sending Lord Thomas Howard to Rome to support the claims of Fürstenberg, he alienated the opponents of France. But when Louis offered him the aid of French ships, his petulant vanity scented patronage, and he refused. The critical moment came at the end of August. The reports of the French and English envoys left no doubt as to the object of William's preparations. When saddles and bridles were put on board the fleet, it was useless to pretend that its sole purpose was naval defence. James, however, continued to profess his belief that it was too late in the year for a naval expedition,[4] that the Dutch would never leave their own country undefended, hat if William came to England, his enterprise would end like that

[1] *Ellis Corr.*, ii., 23; Campana de Cavelli, ii., 239; Bramston, p. 311; Evelyn, July 12, 1688.

[2] *Ellis Corr.*, ii., 51, 130, 137.

[3] *Ibid.*, p. 72.

[4] Dartmouth encouraged this belief: see *Dartmouth MSS.*, p. 262.

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of Monmouth. Louis at last lost patience with such ill-founded optimism, and determined to save James in his own despite. At the instigation of Skelton, the English envoy in France, he instructed Avaux to announce to the States that he was pledged to regard any hostile movement against the English king as an open rupture with France.[1] On the same day the English envoy demanded an explanation of the naval and military preparations of the Dutch. This seemed at last to furnish proof positive of that Anglo-French alliance which had been so long suspected. Van Citters was sent to ask how James could reconcile the assertions of Louis with his own repeated asseverations that he had no treaty with France. James seems to have really felt the indignation which he expressed. He declared that the French king had acted without his assent; that he had no such agreement with France as was implied; that he was no Cardinal Fürstenberg, dependent upon a patron's support; and that in time of need he would show himself to be King of England.[2] Skelton was recalled from Paris and on his arrival was committed to the Tower.

It was not till about the third week of September that James began to perceive that he had been living in a fool's paradise. Convinced at last that the first favourable wind would bring his formidable son-in-law to England, he set himself seriously to raise forces and to gain friends. The fleet, already on a war footing, was stationed in the mouth of the Thames under Lord Dartmouth. To swell the numbers of the army, all the local garrisons were summoned to the capital. For weeks Louis and Barillon had been urging James to bring over soldiers from Ireland. He had already tried the experiment upon a small scale, and had provoked something like a mutiny among the English officers.[3] He now risked the complete alienation of his English troops by bringing over whole regiments. At the same time he summoned an equal number of troops from Scotland. By these means he collected an army of nearly 46,000 men, amply sufficient, if loyal and united, to drive the Dutchmen into the sea. Most of them were distributed so as to guard London and Portsmouth.

[1] Avaux, vi., 214; *Ellis Corr.*, ii., 177-79.

[2] Campana de Cavelli, ii., 256-62.

[3] *Ellis Corr.*, ii., 167; Burnet, iii., 272; Reresby, p. 402.

When James searched for friends, he was speedily cured of his infatuation for the dissenters, and set himself to recapture the tory churchmen whom he had wantonly alienated. Concession followed concession with almost bewildering rapidity. On September 2 he announced his consent to the permanent exclusion of papists from the house of commons. Men who had been dismissed for supporting the test act were restored to their offices. Compton's suspension was taken off, and the bishops were called in to advise the king. In deference to their suggestions, James cancelled the ecclesiastical commission, restored the forfeited charters to London and other towns, reinstated the recently dismissed justices of the peace, and allowed Hough and the expelled fellows to return to Magdalen. These were substantial concessions,[1] but, as Reresby says, they were "fatally too late". If gratitude was owing to any one, it was claimed for the Prince of Orange rather than for the king. But for the threatened invasion from Holland, James would have yielded nothing. And what he did yield was inadequate. Not a word was said about the removal of Roman catholic officers, or about the restriction of the dispensing power. Worst of all, the promise of a speedy meeting of parliament was withdrawn on the ground that the times were too disturbed. CHAP. XII.

James' new-born passion for conciliation was not limited to nome affairs. On September 21 he authorised his envoy at the Hague to renew the denial of any secret treaty with France, and to express his willingness to join the Dutch in active measures to maintain the treaty of Nimeguen and the truce of 1684. As French troops were already besieging Philippsburg, this was a virtual declaration of hostility to France. It was interpreted in this sense by the sanguine Ronquillos and by the more cautious representative of the Emperor, who held that James could not retreat without complete loss of honour.[2] But the Dutch refused to credit his good faith, and Van Citters declared that the message had been concerted with Barillon, and was a mere trick to disarm

[1] For these concessions and the demands of the bishops, see Bramston, pp. 316-25; Clarendon, *Diary*, ii., 188-94; Reresby, p. 406; Gutch, *Coll. Cur.*, i., 405-13; *Ellis Corr.*, ii., 219-49 [the important letter numbered CC. (p. 236) is misplaced and mis-dated October 3; it should be October 28].

[2] Campana de Cavelli, ii., 271, 286.

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his opponents. It served, however, to complete the alienation of Louis XIV., who determined to leave the English king to his fate. When James subsequently asked for the offered French ships, he was told that they could not be ready till next year. The design of declaring war against the Dutch, which Louis had decided upon at the eleventh hour, was abandoned. When the final struggle approached, Louis authorised Barillon to expend 300,000 *livres* on James' behalf, but only if there appeared to be a reasonable chance of success.[1]

Meanwhile William, finally secured against direct opposition from France, was only prevented from starting by a steady continuance of westerly winds. His enforced leisure was spent in drafting the declaration which was to justify his action to the English nation. It was not easy to find a form of words that would satisfy the conflicting interests of the various groups of malcontents. The stress laid upon James' ill-treatment of the Anglican Church, though grateful to the tories at home, was far from pleasing to the whig exiles, who had no reason to love the Church. But a magic formula, suggested by Charles II.'s declaration of Breda, was found to evade all difficulties. The pressing questions of Church and State were to be referred to a free parliament. Every section could nurse the hope that such a parliament would decide in its favour.

On October 19, the "papist wind" having at last ceased, William was able to start from Helvoetsluys. The news that the Dutch forces were actually on the way drove James to a new humiliation. On the 22nd he summoned an extraordinary council to Whitehall, and brought before it the principal witnesses as to the birth of the Prince of Wales. Their depositions, given upon oath, were registered in the chancery and published. Posterity has long admitted that the evidence was conclusive, but contemporaries were less easily convinced. The Princess Anne and her women "made very merry with the whole affair".[2] On the whole, little impression was made upon public opinion, while the king's dignity was lowered by his virtual appearance as defendant in a dispute which involved his personal honour. And the pressing reason for his action

[1] Mazure, *Hist. de la Révolution*, iii., 135-36.
[2] Clarendon, *Diary*, Oct. 23.

no longer existed. A sudden westerly storm had dispersed William's armament in the middle of the North Sea. English rumours naturally exaggerated the disaster, and the superstitious king believed that providence and the forces of nature were fighting for the true faith.[1]

The brief revival of confidence was marked by an event which evoked universal surprise. On October 26 Sunderland was suddenly dismissed from office. Barely four months had passed since he had purchased a new lease of royal favour by open conformity to Roman catholicism. Men were puzzled to account for his sudden downfall, and hardly knew whether it was a matter for exultation or for regret. Many of the most unpopular acts of the reign were attributed to his influence. On the other hand, he had opposed the harsh treatment of the bishops, had advocated the recent concessions to the Church, had opposed the project of relying upon French assistance, and was believed to have incurred the enmity of Petre and the extreme papists. Had he fallen a victim to the enmity of the Jesuits, chagrined at the loss of their expected triumph? Or had he been discovered to hold treasonable intercourse with the king's enemies? The balance of conjecture favoured the second alternative. It was surmised that Sunderland was privy to his wife's correspondence with the Hague through Henry Sidney, who was her lover, and that he thus hoped to secure himself whether James or William prevailed. But James exonerated his minister from this charge,[2] and if it had been true he would have deserved a heavier punishment than dismissal. The probability is that Sunderland had lost the king's confidence when he became the advocate of concession, and that his enemies at last gained the upper hand. It was a rash step to part at the critical moment with an adviser who had political experience and ability.

The damage to the Dutch fleet proved far less than had at first been hoped or feared. Not a single ship had been lost; and when they were re-assembled it was only necessary to renew the stores which had perished or been consumed. By November 1 all was ready, and William again set his sails to

[1] Mazure, iii., 161.

[2] *Life of James II.*, ii., 187; Campana de Cavelli, ii., 313. But see Bramston, p. 327; Bohun, *History of the Desertion* (1689), p. 27.

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a favouring breeze. It was generally expected that he would land in Yorkshire, where Danby had undertaken to raise the county in his favour. But slipping past James' fleet as it lay off Harwich, the Dutch ships sailed right round the coast of Kent and Sussex, and on past the Isle of Wight. There was only one mishap. In the haze the pilot missed the entrance to Torbay, and carried too far to the westward. The mistake might have been serious, as Plymouth was garrisoned, and Lord Dartmouth was now in pursuit. But at the critical moment the wind veered round to the west, Torbay was safely reached on November 5, and Dartmouth was unable even to impede the landing of the troops.[1] The curtain had risen for the drama of revolution.

[1] See Dartmouth's letter to James in *Dartmouth MSS.*, pp. 271-72.

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THE REVOLUTION IN ENGLAND.

FROM Torbay William proceeded to Exeter, where he fixed his head-quarters for nearly a fortnight. His intention was to avoid a collision with the royal troops, and to wait till the nation had rallied to his side, when he would be able to advance with the certainty of success. But, to his intense chagrin, there was at first no sign of that enthusiastic welcome which he had been led to expect. The great majority of the population were strangely apathetic. There can be no doubt that the recent concessions, though they had failed to inspire confidence in the king's sincerity, had profoundly altered the situation in England. Men no longer believed that some desperate effort was needed to maintain their liberties and their religion. Fear had already extorted much from the king; a moderate amount of compulsion would doubtless obtain all that was wanted. Apart from his religion, James was not unpopular, and there was no general desire that he should be deposed or harshly treated. Reassured as to their main interests, people reverted to their natural distaste for a foreign invader and his mongrel army. William had none of the personal charm of Monmouth. "Stately, serious, and reserved," as Evelyn described him, he chilled rather than attracted.

James, in spite of all his blunders, held a far stronger position than he himself believed. But he had never shown any instinctive grasp of his subjects' sentiments, and he showed less than ever at this moment. The obvious path to safety was to summon a parliament, to dismiss Roman catholics from their employments, and to break off all connexion with France. These measures would have conciliated the bishops and the right wing of the tory party. Halifax, who continued to act

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in close accord with Nottingham, must be reckoned as a tory for the nonce. Most of the tory leaders were technically loyal to James, and certainly desired to avert a revolution. But many of them had been engaged in previous correspondence with William, and all desired to take advantage of his coming to extort concessions from the king. If they had been absolutely unanimous, they might have held the balance between James and his son-in-law, and dictated terms to both. But they were divided by the memory of the past and by personal enmity.[1] Halifax had never forgotten his old feud with Rochester, and refused to co-operate with a man who had sat on the hated commission. This division weakened their influence over the king. To a petition drawn up by the bishops and demanding an immediate summons of parliament James returned a decided negative.

In rejecting the policy of concession James was influenced by the advice of his Roman catholic associates, and by a creditable reluctance to abandon them to their enemies. There remained only two alternatives, to fight or to run away, and between these the king vacillated. Personal honour, soldierly pride, and the instinct of self-defence impelled him to strike a blow for his crown. He had served under Turenne in his youth, in his manhood he had faced the Dutch off Southwold, and he had never shown himself wanting in that courage which enables a man to gain credit in the stress of battle. But he lacked the political courage that leads men to stake their fortunes on a bold stroke. He was reluctant to fight with William. While he ordered his troops to assemble at Salisbury in order to close the enemy's eastward advance, he sent his son to Portsmouth that he might have an easy crossing to France. The idea of flight, suggested to him by Father Petre, was ever present to his mind. He was haunted by the lessons of his youth. He had then learned that no mercy is to be expected from rebels, that the fate of a defeated king is the scaffold, and that a ruler must never allow his capital city to pass into hostile hands. This explains his long delay in London. It was not till November 19 that he joined his army at Salisbury.

There can be no doubt that James' vacillation, degenerating

[1] See *Lindsey MSS.*, p. 452.

under the influence of ill-health into something like cowardice, cost him his throne. In a time of revolution it is imperative to impress upon waverers the danger of resisting established authority. James did precisely the reverse. He had already diminished men's respect for his firmness; he now convinced everybody that his was a failing cause. If he had fought and been defeated, public opinion would have resented the victory of the foreigner over a national king. But to do nothing was to encourage malcontents to gain a cheap credit for courage by coming forward on the winning side. Every day that the king wasted in futile preparations, was a gain to William. On November 14 Lord Cornbury, the eldest son of Clarendon, set the example of desertion from the army.[1] Edward Seymour, with a large number of the western gentry, joined William at Exeter. On the 16th Lord Delamere, who had been accused of complicity in Monmouth's rebellion, set himself to raise forces in Cheshire. The Earl of Devonshire took the lead in the northern midlands. And finally Danby, whose inactivity had generated strange suspicions, outwitted Sir John Reresby, the governor of York, seized the northern capital, and formed an association in Yorkshire to support William.[2]

When James at last set out for Salisbury, William felt himself strong enough to advance from Exeter. A decisive encounter seemed imminent, and a skirmish between outposts actually took place at Wincanton. But James had alienated his officers by his refusal to hold a parliament and by the appointment of Lord Feversham to the chief command. On November 24 a council of war decided to abandon Salisbury and to fall back in order to cover London. That very night Churchill, with the king's nephew, the Duke of Grafton, quitted the army for William's camp. The desertion of his ablest officer was an omen to James of what was to follow. Profoundly discouraged, he retreated to Andover, leaving all in confusion behind him. From Andover his son-in-law, George of Denmark, with two associates followed the example of Churchill. Arriving in London on the 26th, James learned that his daughter Anne, who was completely under the influence of

[1] Clarendon, *Diary*, Nov. 15; *Life of James II.*, ii., 216.

[2] Reresby, pp. 414-18; Hist. MSS. Comm. Rep., vii., 420; and on Danby's conduct in the north, *Lindsey MSS.*, pp. 448-56.

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Lady Churchill, had on the previous night quitted her apartments at Whitehall.[1] It became known later that, under the escort of the militant bishop of London, the princess had made her way to join Devonshire at Nottingham. Her departure was a last blow to James. "God help me!" he said, "my own children have forsaken me!"

Active resistance seemed to be no longer feasible. The army could not be trusted if the officers were disloyal, and Dartmouth reported growing disaffection in the fleet. From all parts of England came the news that one town after another had declared for William. Profoundly despondent, James had no alternative but to appeal to the tory party, whose advice he had scorned only ten days before. On November 27 he convened a hasty meeting of some fifty peers. Rarely has a king had to listen to such plain speaking from subjects who were not in avowed rebellion. Clarendon especially "behaved like a pedagogue to a pupil".[2] Halifax and Nottingham were more considerate in their language, but were not less resolute in insisting upon amends for the past. The principal demands were an immediate summons of parliament, the dismissal of popish officers, the repudiation of all alliance with France, a full amnesty to opponents, and the appointment of commissioners to treat with the Prince of Orange.[3] James replied that he would summon a parliament, and that he would take a night to consider the other proposals. But the delay was only to save his dignity, for he knew that refusal was out of the question. On the next day Jeffreys was ordered to prepare the writs for a parliament on January 15, a free pardon was promised to all who had taken up arms, and Halifax, Nottingham, and Godolphin were appointed to confer with William. The tory leaders seemed at last to have gained a complete and easy triumph. They occupied that middle and commanding position to which they had from the first aspired. But Clarendon and his associates had really over-reached themselves. Their ill-timed reproaches confirmed James in his determination to evade thraldom by flight. Clarendon himself was apparently con-

[1] See Pepys' graphic account in *Dartmouth MSS.*, p. 214.

[2] Ailesbury, i., 192.

[3] Clarendon, *Diary*, Nov. 27; *Life of James II.*, ii., 239; *Hatton Corr.*, ii., 113.

vinced that there was no reasonable prospect of a reconciliation between the king and the high Church party. In the hope of exerting some influence over the future settlement. he set out on December 1 to join William. His son's desertion, which he had deplored as a grievous calamity a fortnight earlier, now served to secure him a friendly reception, though he was not a little disconcerted to find himself associated with Ferguson, Wildman, and other hot-heads of the old whig party.[1] CHAP. XIII.

If James had seriously contemplated coming to terms with William, Clarendon's defection would have been a serious blow, because it destroyed the unity of that wing of the tory party whose adhesion to James was the fundamental condition of equal negotiation. But James, as he informed Barillon,[2] was merely throwing dust in his enemies' eyes. He hated his son-in-law, and he knew that William had always tried to drag him into war with France. For that very reason he vowed that nothing should induce him to consent to such a war. And so he could not face a parliament, nor risk falling a prisoner into William's hands. To avoid these dangers he must make his escape from England. Louis XIV. was disappointed that his cousin had not made a better struggle, but he was not likely on that account to refuse him an asylum. If James remained in England, he would perforce become the opponent of France; if he took refuge upon French soil, he would provide Louis with the means to excite civil war in Britain at will. Louis had no doubt as to which alternative he preferred. In order to increase James' temptation, reports were spread that France was about to abandon its ill-timed war in Germany, and devote all its energies to the restoration of the legitimate king and the Roman catholic faith in England.[3]

Before James provided for his own safety, it was necessary to safeguard the infant prince, for whom parliament would unquestionably insist upon a protestant education. Dartmouth, who was at Portsmouth with the fleet, was ordered to cooperate with Lord Dover in sending the prince to France. Mary of Modena was to join her son as soon as the arrangements had been made. To James' intense disgust, Dartmouth refused, as a patriotic Englishman, to carry the heir to the

[1] *Diary*, pp. 211-16. [2] Barillon in Mazure, iii., 218, 219.
[3] Campana de Cavelli, ii., 348.

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throne to a foreign state, and declared, as a good protestant, that the prince's education in the religion of the national Church "ought to be the prayer of every honest loyal subject".[1] It was necessary, in spite of the dangers of the journey, to bring the prince to London and to make new arrangements. No Englishman was to be trusted this time, and the charge of the king's wife and son was entrusted to the Count de Lauzun. With a suspiciously large retinue the royal fugitives embarked at Gravesend on the evening of December 9, and were carried by a strong favouring breeze to Calais.[2]

James had promised the queen that he would follow within twenty-four hours. He can hardly have appreciated the full import of his action. For a generation the hatred of France had been growing in England. Some measure of that hatred must inevitably be transferred to the dynasty which entrusted its destinies to French control. James, however, was blind to everything except the petty wiles by which he had sought to conceal his intention. He had three audiences with his commissioners to settle their instructions, he obtained a safe conduct for their journey, and he professed to await with impatience the result of their mission. On December 9 he actually received a report of their interview with William on the previous day. The terms proposed were as lenient as he could possibly have expected. But it was too late for any alteration of plans, and James had never intended to conclude a treaty. The loyal Earl of Ailesbury made a last effort to dissuade him from his fatal course, but James was obdurate.[3] After assuring Lord Middleton, the principal secretary of state, that he would see him in the morning about the answer to the commissioners, he retired to bed. In his own apartments he carefully destroyed the writs for the new parliament, and filled his pockets with money and valuables, including the great seal which he had demanded from Jeffreys some days before. About three in the morning he quitted Whitehall by a secret staircase, and made his way to Faversham, near the southern bank of the Thames, where he embarked on a vessel for France.

[1] The correspondence is in Dalrymple, ii., App. i., pp. 326-30; and in *Dartmouth MSS.*, pp. 220, 224, 275-77.

[2] *Life of James II.*, ii., 246; collected narratives of the queen's journey in Campana de Cavelli, ii., 379-413.

[3] Ailesbury, i., 194-97.

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On December 11 Halifax and his fellow-commissioners arrived in London to obtain the king's consent to the proposed terms. These included the dismissal of papists, the surrender of the Tower and of Tilbury Fort to the city of London, the withdrawal of all armed forces to a distance of forty miles from the capital, and the presence of both James and William during the session of parliament either in London or at an equal distance from the city. The idea of an amnesty had been rejected on the ground that it implied wrong-doing on the part of the recipients. The proposals might have been the basis of a reasonable accommodation, but they were rendered futile by the flight of one of the contracting parties. If James had deliberately intended to alienate all possible supporters, he could not have chosen his measures better. He had left the country without any legal government. He had appointed no regent during his absence; he had carried off the great seal, which was not recovered until, after several months, it was accidentally fished up in the Thames;[1] he wrote a letter to Feversham which was interpreted as an order to disband the army; and he admits himself that he did what he could to obstruct the meeting of a legitimate parliament.[2]

For men who decided to abandon James, there was hardly any alternative but to go over to William. The tory leaders made a short-lived effort to set up a provisional government which might treat with William on equal terms until order had been restored. The peers who were in London met in the Guildhall on the morning after James' departure, assumed executive functions, and drew up a declaration expressing willingness to co-operate with the Prince of Orange in securing the freedom of the nation, the privileges of the Church, and a due measure of liberty for dissenters. But the position which they took up was rendered untenable by the want of any adequate force to maintain order. The London mob, confident of impunity, rose in the night of December 11 and attacked the residences of the envoys from Roman catholic states. The next night was even more disturbed. A rumour was indus-

[1] The story that James deliberately threw it into the river has hitherto rested upon a statement of Burnet (iii., 326). Klopp (iv., 262) disputes the story as improbable; but it seems to be finally confirmed by James himself in the *Stuart Papers*, i., 77.

[2] *Life of James II.*, ii., 251.

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triously spread that the disbanded Irish soldiers were massacring the protestants. So general was the scare that houses were illuminated while search was made for the miscreants, and it was not till daylight that the terrors of the "Irish night" came to an end. The popular excitement was increased by successive captures of popish priests and other unpopular persons who were endeavouring to make their escape. Among the captives was Jeffreys, who was found in disguise at Wapping, and was with difficulty saved from the fury of the populace. The peers examined him as to his complicity in the recent acts of the king and committed him to the Tower, where he died a prisoner. These occurrences discredited the administration of the peers, and necessitated an appeal to William, who alone was strong enough to save the state from anarchy. The London magistrates had recognised this from the first, and had asked him to advance to London for its defence. It was noted at the time that he was much more pleased with the address from the City than with that from the lords.[1] In fact he acted as if the civic invitation was authoritative, abandoned a projected visit to Oxford, and sent Churchill and Grafton to deal with the dispersed Irish and English troops. He was obviously on the high road to complete ascendency in England, when news arrived which gave a wholly altered aspect to affairs.

James had not succeeded in making his escape. His ship was delayed at Sheerness to take in ballast. Late in the evening of December 11 it was boarded by some Faversham fishermen, engaged in the exciting pursuit of priest hunting. James and his companions were seized and carried on shore. There the king was recognised and detained as an important prize. It was not till the 13th that the rumour of his detention reached the council of peers who were sitting under the chairmanship of Halifax. To some of them it was unwelcome news that they must drop the reins of government. Lord Feversham was instructed to attend the king with a detachment of guards, but it was only at the general's own request that the words "to receive his commands and to protect his person from insolence" were added.[2] James was thus given a second chance of retaining his

[1] Clarendon, *Diary*, p. 224.

[2] Halifax's notes in Foxcroft, ii., 58. See also Ailesbury, i., 202; Mulgrave, *Works*, ii., 86-88.

throne, and for a moment he seems to have made up his mind to take advantage of it. On Saturday, the 14th, he slept at Rochester, whence he despatched Feversham with a letter to William asking for a personal interview. On the Sunday he made a formal entry into London. To his intense elation, he was received with "such bonfires, ringing of bells, and all imaginable marks of love and esteem, as made it look liker a day of triumph than humiliation".[1] In the evening he was once more in Whitehall. The public meals and the ordinary life of the court were resumed as if nothing had occurred to interrupt them. A curious observer noted that grace was said by a Jesuit.[2] CHAP. XIII.

But James' elation soon gave way to a new fit of discouragement. He had still to deal with William, who was in a very different frame of mind from that in which he had received James' original envoys at Hungerford. During the intervening week his prospects had been completely changed. Halifax and other moderates were prepared to join him. The city of London had invited his presence. James' flight had brought him within measurable distance of the exercise of royal authority, if not of actually wearing the crown. He valued power for what it would enable him to accomplish, and he was not prepared to surrender it just when it seemed within his grasp. James had already shown himself susceptible to fear, and as there was no other motive to appeal to, fear must be employed to make him renew the flight which had been so unluckily frustrated. For a moment the aims of the two arch-antagonists coincided. Louis XIV. had made up his mind to keep Mary of Modena and her son as hostages,[3] but he would be still more secure if he could dominate English politics by controlling the person of the legitimate king. William, who had originally aimed at imposing conditions upon James, was now convinced that his ultimate objects could best be secured by the expulsion of his father-in-law. By the employment of coercion he would incur odium both in England and outside,

[1] *Life of James II.*, ii., 262; Ailesbury, i., 214; *Dartmouth MSS.*, pp. 236, 238.

[2] Evelyn, Dec. 15, 1688. Rather oddly, Evelyn makes James return twice to London.

[3] See two letters of Louvois in Campana de Cavelli, ii., 453-54; Rousset, *Louvois*, iv., 151.

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and he would place a formidable weapon in the hands of France, but he made up his mind to run these risks.

William's measures were prompt and decisive. Feversham was placed under arrest on his arrival at Windsor. Halifax, so recently an envoy on behalf of James, was sent with Lords Shrewsbury and Delamere to inform the king that he must quit London for Ham, near Richmond.[1] And Count Solms and the Dutch guards were instructed to take possession of Whitehall. For a moment there was a danger that this would provoke an armed collision. But James himself ordered submission, and he retired to rest a prisoner in his own palace.[2] Soon after midnight he was roused from sleep to receive Halifax and his colleagues. Convinced that the recovery of substantial kingship was for the moment impossible, he preferred exile to impotence. On the plea that Ham was too damp for a winter residence, he asked leave to return to Rochester. The desired permission was obtained without difficulty, and on December 17 James quitted Whitehall for the last time. A few hours later William entered London and took up his residence in St. James's. The crowd welcomed him with oranges at the end of sticks, and their acclamations were sufficient assurance that the majority of the citizens were eager supporters of the protestant cause.

Five days of uncertainty followed James' departure from the capital. William had undoubtedly alienated many of his more half-hearted followers by the arrest of Feversham and the harsh treatment of his father-in-law.[3] The peers continued to act as if their authority was quite independent of the prince,[4] and the tories among them insisted upon recognising James as long as he remained in the country. While issuing decrees for the banishment of all papists from London, they determined to send to Rochester to renew the demand for a parliament. Several persons, including Clarendon, endeavoured to dissuade James from leaving the kingdom.[5] If he had followed this advice, the tories would have been able to retain the dominant position for which they were struggling. But James'

[1] Clarendon, *Diary*, ii., 229; Mulgrave, *Works*, ii., 85.

[2] *Life of James II.*, ii., 265; Ailesbury, i., 216-17; Campana de Cavelli, ii., 440.

[3] Clarendon, ii., 231; Hoffmann in Campana de Cavelli, ii., 443; Burnet, iii., 339.

[4] See Halifax's notes in Foxcroft, ii., 59.

[5] Clarendon, ii., 232; *Life of James II.*, ii., 270.

ill-timed obstinacy was as strong as ever. He had made up his mind to go into temporary exile rather than submit to coercion, and he was not likely to listen to men who were using his misfortunes to gain their own ends. If anything could have changed his purpose, it was the ostentatious desire of William to facilitate his escape. While the outer gates of the castle were carefully watched, those leading to the river were left unguarded. But not even the desire to baulk his enemy was sufficient to weaken his determination to escape. Without waiting for the deputation from the peers, he made all his preparations on the evening of December 22, and early the following morning boarded a vessel in the Thames.[1] Wind and tide obstructed the voyage, and it was not till Christmas day that French soil was reached at Ambleteuse. From Abbeville he posted to St. Germain, and there rejoined his wife and son in the palace which Louis XIV. with characteristic generosity had assigned to the royal exiles.

James' flight to France was an event of decisive importance. It brought about a revolution in place of a mere change of domestic and foreign policy; and it took the guidance of the revolution out of the hands of the tory party which had largely contributed to bring it about. The welcome news that his father-in-law was safely embarked reached William early on December 23. He at once took two important measures, which he must have carefully planned beforehand. He broke off the long and pernicious connexion with France by ordering Barillon to quit the kingdom within forty-eight hours:[2] And he invited all who had sat in the house of commons during the reign of Charles II., together with the magistrates and common councillors of London, to meet on December 26. The tory parliament of 1685 was deliberately ignored on the ground that the constituencies had been tampered with. When the peers reassembled on December 24, they found that their scheme for the meeting of a parliament under royal summons had been frustrated by James' abrupt departure. The tories, wholly unprepared to meet this difficulty, were forced to accept the whig proposal that William should be asked to issue writs for a convention, and that he

[1] For details see *Life of James II.*, ii., 275; Ailesbury, i., 225.
[2] Luttrell, i., 491.

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should be invited to undertake the executive functions of government until the assembly could meet. Two days later the commoners, among whom the supporters of the exclusion bill preponderated, passed an equivalent resolution. On December 28 William announced his acceptance of the request, and the convention was ordered to meet on January 22, 1689.

William addressed himself to the task of administration with characteristic vigour. He had two pressing problems to deal with. The English troops were keenly sensitive of the humiliating part which they had played in recent events, and were bitterly jealous of the Dutch guards upon whom the prince relied for the maintenance of order. It required strenuous efforts on the part of William and Churchill to prevent this professional discontent from giving rise to actual disorders. The second difficulty was to justify his action to his continental allies. From the moment that James became a pensioner on his bounty, Louis XIV. set himself to break up the threatening coalition against France by preaching a religious war against protestantism. If the French forces could be recalled from their ill-timed campaign in Germany and employed to aid malcontents in Great Britain and Ireland, a serious danger would confront any new government in England. James was little more than a puppet in the hands of his powerful patron. While he was composing a letter to the English council full of reassuring promises to call a free parliament and to defend the Church of England, he was appealing to the princes of his own faith for aid in his efforts "to remount his throne and to establish in England the Roman catholic religion".[1] William's task was to counteract this insidious attempt to exaggerate the religious character of his expedition. He paraded a politic leniency to the English Roman catholics.[2] His representations were aided by the cruelties of the French troops in devastating the Palatinate. So hateful were the harsh measures of Louis and Louvois, that their enemies were unwilling to scrutinise too closely events which promised to humble the arrogance of France. The Emperor gave an indulgent hearing to William's excuses, and refused to receive

[1] Campana de Cavelli, ii., 479; compare *Stuart Papers*, i., 36.

[2] Burnet, iii., 340; Hoffmann's report on Jan. 4, in Klopp, iv., 309.

the envoy whom James proposed to send to Vienna.[1] Spain rejected the French proposals for neutrality, and Innocent XI. contented himself with expressions of regretful sympathy with the hard lot of Mary of Modena.

Meanwhile England was absorbed in the general election. After recent experience, no small impression was made by William's abstention from any effort to influence the choice of representatives.[2] The convention which met on January 22 could claim really to represent English opinion. Party differences had been obscured for a time by the national antagonism which James' measures had provoked. They began to revive as soon as the first successful blow had been struck. And, as they revived, it became obvious that a revolution in popular sentiment had taken place since the days of Shaftesbury's downfall. Whereas the whigs had then been a discredited and impotent faction, they were now the dominant party in the state. Fully two-thirds of the members of the lower house may be classified as whigs. And their activity and confidence were in excess of their numbers Events had fought on their side. All their gloomy forecasts as to the danger of allowing a papist to ascend the throne had been fulfilled by James' reign. And, while they could point to the past to prove their foresight, they had no hesitation as to the fitting remedy for the evils which they had prophesied. The doctrine of indefeasible hereditary right they treated with scorn in 1689 as they had done in 1679. They were prepared to fill the throne in accordance with the interests of the people, and to impose any desirable restrictions upon the power of the chosen prince.

The tories, on the other hand, were both depressed and divided. They were the professed champions of the Church, and the Church had elevated the theory of passive obedience to the rank of a dogma. In defence of the Church the tories had been compelled to abandon their cherished principles. It was not easy for them to find a new platform upon which the party could unite. Some desired that James should be recalled under strict conditions, although it was absurd to suppose that exacted pledges would be more binding than those which he had voluntarily given at the time of his accession. The great

[1] Campana de Cavelli, ii., 506; Luttrell, i., 520.
[2] Anchitell Grey, *Debates*, ix., 4.

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majority, guided by the clergy, wished to return to the expedient suggested in 1681. Their proposal was that James should retain his title, and that his duties should be entrusted to a regent, as would be done in the case of a king who became insane. The practical difficulty of the scheme was that James would never acquiesce, and that the regent might find himself at war with the king in whose name he was ruling. There were also a few influential tories, such as Danby, who had gone too far in their opposition to James to be content with any compromise. They held that James had abandoned the throne. They would not acknowledge a child the genuineness of whose birth was disputed, while his removal to a foreign soil was held to be equivalent to the disappearance of the defendant in a judicial case. But they clung to the contention that the monarchy was hereditary, and they maintained the right of the Princess Mary to ascend the throne as if her father had died without male issue.

In spite of their divisions, the tories had one advantage over their opponents. They had a secure, though not a large, majority in the house of lords. If they had been confident and unanimous, they would probably have taken the lead in proposing a regency, and the prestige of the upper house would have carried great weight. But they had lost a leader whose help would have been invaluable in the present crisis. Halifax, the arch-opponent of the exclusion bill, had been since 1680 the ally of the tory party. His motives had not been exactly tory motives. But he had been the minister of Charles II. in the days of tory predominance, he had been for some months a minister under James, and during the last year he had been intimately associated with Nottingham, one of the trusted champions of the established Church. In recognition of these associations, he was chosen speaker of the house of lords in the convention, as he had been in most of the previous meetings of the peers. He was for the time the most prominent and influential of living Englishmen. But during the last few weeks the attitude of Halifax had undergone a momentous change. Indignant at the way in which James had treated him at the time of his embassy to Hungerford, jealous of a possible rival in Danby whom he had formerly opposed, and perhaps flattered by the confidential

intercourse to which William admitted him,[1] he severed his connexion with Nottingham and the tory party, acknowledged the practical necessity of treating the monarchy for once as elective, and was prepared to urge the setting of William upon the throne. CHAP. XIII.

Under the guidance of Halifax[2] the house of lords showed a fatal weakness at the very outset of the session. Although at a private dinner at Lambeth the bishops had declared for a regency,[3] the Archbishop of Canterbury refused to attend the convention, and discussion on the state of the kingdom was postponed till the 29th. This gave the initiative to the whigs, who had been the weaker party in the virtual coalition which began the revolution, but were destined to imprint upon the movement its most essential characteristics. After a desultory debate, in which few tories spoke, the commons formulated a resolution avowedly framed to reconcile as many as possible of the various views which had found expression. It asserted "that King James the Second, having endeavoured to subvert the constitution of the kingdom by breaking the original contract between king and people, and by the advice of Jesuits and other wicked persons having violated the fundamental laws, and having withdrawn himself out of this kingdom, has abdicated the government, and the throne is thereby become vacant". On the following day a second resolution was added: "That it hath been found by experience to be inconsistent with the safety and welfare of this protestant kingdom to be governed by a popish prince".

These resolutions were before the lords on January 29. The second, though obviously antagonistic to the doctrine of hereditary right, was historically so true as a justification of opposition to James, and fitted in so well with the scheme of a protestant regency, that it was accepted without opposition. Before turning to the earlier and more vital resolution, Nottingham brought forward the rather belated proposal of a regency. We have, unfortunately, no adequate record of the debate, in which Nottingham was supported by Rochester and Clarendon,

[1] See important notes of conversations between William and Halifax from the *Spencer House Journals*, in Foxcroft, ii., 201 *seq.* For Halifax's motives see also Reresby, pp. 432-33, 436.

[2] Clarendon, ii., 253.

[3] Evelyn, Jan. 15, 1689.

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and opposed by Halifax and Danby. The division was excitingly close, but the absence of Sancroft and the defection of two bishops, Compton and Trelawney, turned the scale against the tories, who suffered their first and decisive defeat. The proposal was rejected by fifty-one votes to forty-nine.[1]

The lords were now compelled to take up the original resolution of the commons, which on the 30th and 31st was discussed clause by clause. After a consultation with the lawyers as to the existence and nature of the alleged contract, the first two clauses were accepted. For the word "abdicated" the peers substituted "deserted". But it was soon apparent that the upper house would refuse to admit a vacancy in the throne. To evade the difficulty the whigs proposed as an amendment that William and Mary should be declared king and queen. This was rejected by fifty-two votes to forty-seven, and the words "that the throne is thereby vacant" were thrown out by the significant majority of fifty-five to forty-one. In the two last divisions Danby and his followers had broken away from the temporary alliance with the whigs which had defeated the proposal of a regency. The two houses were now committed to two diametrically opposite conceptions of monarchy, the lords to hereditary right, the commons to the principle of election. The fate of the nation depended upon which would give way.

For five days there was a deadlock, which was ultimately loosened by influences outside of parliament. Mary had long ago, under the influence of Burnet, decided that she would never claim political power over, or at the expense of, her husband.[2] A letter to Danby in which she expressed this determination was fatal to the supporters of her right to the sole occupancy of the throne. But William personally stood in the line of succession behind his sister-in-law as well as his wife. Clarendon and others did all in their power to induce Anne to assert her rights, and for a time they were confident of success.[3] The advice of the Churchills, however, with the obvious reflection that William's life was not likely to be a long one, led the

[1] I have followed Clarendon (ii., 256) because he gives the names of the minority. In *MSS. of House of Lords*, 1689-1690 (Hist. MSS. Comm. Rep., xii., App. vi.), p. 15, the figures are 51 to 48.

[2] Burnet, iii., 129-31. [3] Clarendon, ii., 248, 254, 255, 260.

princess to express her willingness to allow her brother-in-law to occupy the throne before her. Finally William himself, breaking through his habitual reserve, expressed himself tersely but decisively to a few of the most influential peers. He would not be regent, and he would not be tied to his wife's apron-strings, much as he esteemed her. He admitted the absolute right of the English to choose their own sovereign. If they did not choose him, he would simply return to Holland. Finally, he said that it would only be fair to give the crown to Anne and her descendants in preference to any children whom he might leave by any other wife than Mary.[1] CHAP. XIII.

The effect of these various utterances was to break up the majority in the house of lords. Practical men had to sacrifice their scruples to the imperative need of giving the country a government. On February 6 the word "abdicated" was restored, and the clause affirming the vacancy of the throne was carried by sixty-five to forty-five.[2] Having given way on the matter of principle, the peers now took the lead in hastening the work of settlement. A proposal that William and Mary should be declared king and queen was carried without a division. On the motion of Nottingham, who loyally accepted a solution which he had steadily opposed, a new and simpler form was adopted for the oaths of allegiance and supremacy. On the 7th these resolutions were sent down to the lower house. All differences between the two houses having been removed, it remained only to settle the precise order of succession, and the limitations of the royal authority which were deemed necessary to prevent in the future such actions as those of James. The commons had resolved on January 29 that before filling the throne they would "proceed to secure our religion, laws, and liberties," and had appointed a committee to draw up a list of necessary reforms. But when the debate was resumed, it became evident that the drafting of a detailed definition of the ideal relations between king and subjects would dangerously prolong the interregnum. In the end it was agreed to draw up a simple declaration of right, in which

[1] The sole authority for this important statement is Burnet (iii., 373), but there is no reason to doubt its substantial accuracy. It was likely to be within his knowledge, and it fits in with William's confidential conversation with Halifax a few weeks earlier (Foxcroft, ii., 203-4).

[2] Clarendon (ii., 260) gives the figures as 62 to 47, but no list of names.

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James' misdeeds were enumerated and were then *seriatim* condemned as illegal. As to the crown, it was to go jointly to William and Mary, but the administration was vested in William alone. The survivor was to rule for life, and the succession was to pass to the children of Mary, then to Anne and her descendants, and finally to the descendants of William. The declaration was completed by February 12, on which day Mary arrived from Holland. On the 13th the crown of England, France, and Ireland was offered to the prince and princess by Halifax on behalf of the two houses. That evening they were formally proclaimed in London as William III. and Mary II.[1]

The transfer of the crown, affecting as it did the whole theory and practice of the constitution, was the most important single event in the revolution settlement. The declaration of right, which was the condition of the transfer, deprived the crown of any power of suspending laws, of its last claim to unparliamentary taxation, and of the right to maintain a standing army in time of peace: it condemned the recent exercise of the dispensing power, and asserted the principle that for the redress of grievances parliaments should he held frequently. But these constitutional reforms had been very hastily drawn up, and there were many pressing questions which had been left untouched. Notably, nothing had been done to secure the independence of the judges or to limit the duration of parliaments. There were also other problems which demanded immediate attention. A triumph of whig principles necessitated some considerable concessions to the protestant dissenters, who had been the backbone of the whig party since the days of Shaftesbury, and who had earned the gratitude of the tories by their refusal to accept the bribes of James. There was a widespread, though not very politic, desire to inflict some punishment upon the evil counsellors of the crown for the last eight years. It was further necessary to deal firmly with the papists, and with all who refused adhesion to the new government. In addition to purely domestic questions, there was the vital question of Ireland, which was slipping away from the English crown and might become the

[1] The traditional phrase "the Revolution of 1688" is explained by the old reckoning of the year from March 25.

dependency of a foreign state, and that of continental policy, in the eyes of William the most important of all. In his first and subsequent speeches he had urged upon the convention the imperative duty of giving aid to the Dutch, and had shown no little impatience when the assembly refused to turn its attention, even for a moment, from the consideration of home affairs. CHAP. XIII.

There can be no doubt that William, able statesman and diplomatist as he was, had an imperfect grasp of English politics, and perhaps a still more imperfect sympathy with English parties and prejudices. What he wanted and expected was to be welcomed as a deliverer by the nation, to receive its unanimous support, and to employ that support in building up an irresistible coalition against France. What he found was that Englishmen, including those who had invited him and supported him, were divided into two sections, each bitterly hostile to the other, and neither enthusiastically loyal. William was from the first personally unpopular, partly on account of his foreign origin and his undisguised preference for his own countrymen, partly on account of his continuous reserve and occasional rudeness, and partly because he maintained no open court in London as his predecessors had done. The asthma, which had afflicted him from childhood, was aggravated by the smoke and dust of Westminster. His favourite residence was Hampton Court, where Wren built a magnificent palace in classical style, which fitted rather incongruously on to Wolsey's Tudor edifice, and where William himself found congenial occupation in laying out a garden on the Dutch model. When his ministers complained of the inconvenient distance of Hampton, he bought from Nottingham the estate of Kensington House, which was at any rate easier of access. But Kensington was no substitute for Whitehall, and the grumbling of Londoners seemed to William to show an ungrateful disregard of his health and comfort.

Neither party had an exclusive claim to William's favour. The whigs had been insistent upon raising him to the throne, but they were equally eager to trammel his power. William, who intended to keep foreign affairs in his own control, desired to avoid any further restrictions upon prerogative. The tories, on the other hand, were by tradition the partisans of the crown,

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but most of them had striven to prevent his accession, and many of them refused to take the oath of allegiance. It had been intolerable to the tories to have a king who was a Roman catholic, but it was not much better to have one who was variously denounced as a Calvinist or a latitudinarian. In the filling of secular offices William sought to maintain an impartial attitude between the two parties. Danby, who looked for a more important post,[1] was made lord president. Halifax, ostensibly by his own choice, took his old office of privy seal, and remained speaker of the house of lords. One secretaryship was given to Shrewsbury, and the other to Nottingham. The Archbishop of Canterbury and the Bishop of London were both appointed to the privy council, though the former refused to serve. But the council, which included Henry Sidney, Edward Russell, Powle, the speaker, and Richard Hampden, was predominantly whig. The great offices, the treasury, the chancellorship, and the admiralty, were put into commission.

In refusing to associate the monarchy with either party, William probably acted with wisdom, but if he expected thereby to conciliate both, he was mistaken, while he certainly diminished the efficiency of his administration. As Machiavelli long ago pointed out, a revolution invariably disappoints more than it satisfies, and William discovered this to his cost. Within a month of his accession, Halifax was heard to say that if James were but a protestant, he could not be kept out for four months, while Danby asserted that, if he would give satisfaction as to religion, as he easily might, it would be very hard to make head against him.[2] Such opinions, from his two most prominent ministers, were by no means encouraging to a king who was confronted with armed opposition in Scotland and Ireland, and who was eager to play a predominant part in a great European war.

In order to grapple with the legislative work yet undone, the convention was transformed by its own act into a parliament. The two houses remained in continuous session until August 20, and the pages of the statute-book give a fair but inadequate picture of the labours of these six months. The chief malcontents were the clergy and the soldiers. "The black coats and the red coats," said a vehement whig, "are the griev-

[1] Reresby, p. 439. [2] *Ibid.*, p. 448.

ances of the people."[1] The danger from the army was vividly impressed by a mutiny of Dumbarton's regiment, when it was about to embark for Holland. The men declared their loyalty to James and set out to march northwards. In Lincolnshire they were overtaken by a body of Dutch cavalry under Ginkel and compelled to surrender. This led to the passing of the first mutiny act, which allowed the maintenance of the army for six months and authorised the punishment of desertion by martial law. This act, afterwards made annual, had the incidental result of necessitating regular parliamentary sessions at least once a year, and thus gave a much-needed definition to the "frequent" sessions demanded by the declaration of right.

To test the loyalty of the clergy and all other classes an act was passed imposing the new oaths of allegiance and supremacy. Any person refusing the oaths was subject to fine or imprisonment, and on the third refusal was declared incapable of holding civil or military office. The clergy were allowed till August 1 to take the oaths. If they then refused, they were to be suspended for six months and then deprived. The imposition of the oaths, already made obligatory upon members of parliament, was watched with keen interest. They had been carefully framed to minimise the strain upon tory consciences, and on the whole the result was not unsatisfactory to the government. Clarendon's refusal was balanced by the acceptance of his abler brother Rochester and of such sound tories as Nottingham and Edward Seymour. Even so loyal an adherent of James as Lord Ailesbury, who had attended the king to the very hour of his departure, swallowed what he called "garrison oaths," as necessary to provide protection to the actual government.[2] Greater difficulty was experienced with regard to the clergy. Five of the seven bishops, including Archbishop Sancroft and Ken, refused to break their sworn allegiance to James by acknowledging his successor. Their example was followed by Lloyd of Norwich, and by some four hundred of the lesser clergy, many of them distinguished both for learning and character. Although the congregations of these non-jurors were never numerous, they succeeded in maintaining a Church of their own until the beginning of the nineteenth century.

[1] Grey's *Debates*, ix., 112. [2] Ailesbury, i., 234, 237.

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To the Roman catholics, in spite of William's known desire for leniency, the parliament showed a not unnatural hostility. Their removal from London and Westminster, already decreed by the peers during the interregnum, was now made obligatory by statute. By a subsequent act they were deprived of arms and forbidden to possess a horse worth more than five pounds. Far different was the attitude towards the other dissenters from the established Church. Their assistance in the discomfiture of James had been so conspicuous that little surprise was created by the revival of the idea of "comprehension". A bill for the expansion of the Church of England was brought forward in the lords by Nottingham, and passed through several stages in both houses. In many ways such a measure seemed a natural result of that alliance of interests and aims which had been so conspicuous at the time of the trial of the seven bishops. But events proved that what might have been feasible in 1660 was impossible in 1689. During the intervening period an insuperable barrier of habit and of prejudice had been built up between the Church and those whom it had both rejected and persecuted. In the end the comprehension bill was dropped, to the exultation of one side, and without any keen regret on the other.

A simpler scheme seemed to be the repeal of the various statutes, such as the corporation, the conventicle, and the five-mile acts, which had been deliberately passed to impose disabilities upon the protestant dissenters. Yet so conservative was the revolution spirit that no proposal to repeal these measures was carried into effect. All that was done was to grant a conditional toleration by the exercise of a parliamentary dispensing power. Any dissenter who would take the oaths of supremacy and allegiance and the declaration against transubstantiation, was freed from the various statutes which enforced attendance at Church. Any minister who in addition would subscribe the thirty-nine articles with certain omissions, was freed from the penalties imposed by the act of uniformity, the conventicle act, and the five-mile act. Anabaptists were allowed to omit the article referring to infant baptism. Quakers must reject transubstantiation, but might substitute for the two oaths a declaration of fidelity and a profession

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of Christian belief.[1] By a special clause, no benefit was to be conferred by the act upon papists or upon those who denied the doctrine of the Trinity. But by the corporation act and the test act of 1673 the dissenters remained excluded from municipal, civil, and military office. Yet, under this very halting measure of toleration, extended from 1727 onwards by annual acts of indemnity, they lived with fair contentment for a century and a half. But it must never be forgotten that they received far less than James had offered and than William was eager to give to them.

The coronation of William and Mary took place on April 12 with due solemnity. In Sancroft's absence the chief part in the ceremony was assigned to Compton, Bishop of London, and the service was badly mangled. As usual, it gave occasion for a number of new and advanced peerages. Danby became Marquis of Caermarthen, Churchill was rewarded with the title of Earl of Marlborough, Henry Sidney was made a viscount, and, to the annoyance of the whigs, Lord Mordaunt received the earldom of Monmouth. The name of Halifax, who had been accused of an unworthy greed for titles, was conspicuous for its absence from the list of promotions.

The subject which bulked most largely in the debates of the commons was the bill of indemnity. William was anxious to put an end to strife and uncertainty by making it as wide as possible. But the whigs insisted that the advisers of evil measures since 1681 should not escape scot free. Jeffreys had escaped punishment by death; Sunderland, Petre, and others had fled to France. The commons, however, insisted upon including even the dead in their list of exceptions. So keen was the desire for revenge that they turned against men who stood high in the service of the king. Caermarthen was attacked by an address begging William not to employ men who had been impeached. Still more bitter was the enmity shown to Halifax. No tardy repentance could excuse his successful opposition to the exclusion bill and his share in the attack on the city charters. This attitude was the more ungrateful, because Rochester was spared on the express ground that he had forfeited office rather than change his religion. So inter-

[1] This favour to Quakers, who had mostly supported James, caused great indignation among Churchmen: Wood's *Life*, iv., 308.

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minable and vengeful were the discussions, that the passing of an act of indemnity was ultimately left to a new parliament in 1690.

Considering William's importunity and the magnitude of the interests involved, singularly little attention was paid to foreign affairs. It was not till the news arrived that James, accompanied by French officers, had actually landed in Ireland on April 15, that the commons offered to furnish William with the supplies necessary for hostile measures against France. Fortified with this assurance of support, William set himself to gather together the tangled threads of European politics. In spite of Louis' aggressive measures in the autumn of 1688, it was only gradually that open hostilities had begun. In November France had declared war against the Dutch. In February, 1689, the imperial diet at Ratisbon decreed defiance to Louis. In April declarations of war were issued by the Emperor against France, and by France against Spain. On May 4 England also published a hostile manifesto. William's task was to bind together the various enemies of France into a Grand Alliance. On May 12 the foundations of such an alliance were laid by an offensive and defensive treaty beween the Emperor and the United Provinces, in which the two powers pledged themselves to restore the conditions of the treaties of Westphalia and the Pyrenees. The coalition was joined by Spain in June, and in September the treaty was signed by William on behalf of England.

Meanwhile the parliament had undertaken to transform the revolutionary declaration of right into a formal statute. In the discussions it was pointed out that the arrangements for the succession were inadequate. William and Mary were childless, and none of Anne's children had as yet survived infancy. It was proposed in the house of lords to make further provision by adding Sophia, wife of the Duke of Brunswick-Lüneburg and a granddaughter of James I. But in the commons the proposal met with unexpected opposition. The whigs were not prepared to tie their hands any further, and some of them were perhaps not unwilling to facilitate the approach of a republic by the possible extinction of the recognised successors to the throne. The tories did not wish to preclude the possibility of a return to protestantism on the

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part of James or his son. Parliament was adjourned for a short recess on August 20. When it met again on October 19, the situation was so far altered that Anne had become the mother of an apparently healthy son. The proposal to nominate Sophia was not revived, and the Bill of Rights passed through both houses. Although it left the succession unaltered, it contained some important additions. In order to enforce the exclusion of papists, a test was imposed upon all future sovereigns in the shape of the declaration prescribed in the test act of 1678.[1] A further exclusion was made of any one who should marry a papist. A new clause provided that no *non obstante* should be legal unless expressly licensed by the statute dispensed with, and except in such further cases as should be determined by bill in the present parliament. As no such bill was eventually passed, the effect of the clause was to deprive the crown of that power of dispensation which it had hitherto enjoyed. The Bill of Rights received the royal assent on December 16, 1689. With its passing and the adhesion of England to the Grand Alliance, the main work of the Revolution in England may be deemed to be complete, although subsequent legislation was needed, even in William's reign, to fill up some of the gaps which had been left.

[1] See above, p. 155.

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CHAPTER XIV.

THE REVOLUTION IN SCOTLAND.

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IF there was one part of his dominions in which James was confident that he could successfully assert his arbitrary power, it was Scotland. Before his accession, when he was driven from England by the hostility of the exclusionists, he had presided in 1681 over a parliament in Edinburgh which passed the act of succession and the test act. When he came to the throne, the Scottish parliament in the spring of 1685 had responded to his express invitation that it should set an example of subservience to the assembly which was about to meet at Westminster. When the English parliament in November, 1685, refused to repeal the test act, James was still assured that it would be easy to obtain relief for Roman catholics in the north. He was further encouraged in this belief when two of his Scottish ministers, the Earl of Perth, who was chancellor, and his younger brother Lord Melfort, one of the secretaries of state, declared themselves to be converted to Roman catholicism by a perusal of the papers left by Charles II. The other secretary, the Earl of Moray, was understood to be ready to follow their example.[1] James was fully warned of the strength of protestant prejudice in Scotland by the riots which were provoked in Edinburgh by the arrival of Roman catholic vestments and books for the chancellor, and by the celebration of the mass in his private chapel. But opposition only hardened the king's obstinacy. In March, 1686, the Duke of Queensberry, who had not concealed his hostility to Roman catholic relief, was removed from the treasurership, and the office was entrusted to a commission

[1] Burnet (iii., 108) says that Moray became a convert with Perth and Melfort, and he has been followed by Macaulay and by Professor Hume Brown. But it is unlikely that James would have chosen a declared papist to act as commissioner in the approaching parliament, and there is a letter in the *Marchmont Papers* (iii., 72) which speaks of Moray as recently declared in January, 1687.

with Perth, Queensberry's avowed rival, at its head. The command of Edinburgh Castle was entrusted to a papist, the Duke of Gordon, who assumed it without taking the test. Three councillors, the Duke of Hamilton, Sir George Lockhart, and General Drummond, who were regarded as protestant partisans, were sent to London to receive the full force of direct royal influence.

The parliament, which had been so docile in 1685, met for its second session on April 29, 1686, and the compliant Earl of Moray took the place of Queensberry as royal commissioner. The king's letter offered two boons: the opening of a free trade with England, and the grant of an indemnity to all who had shared in the recent rebellion. In return, James demanded the relief of his Roman catholic subjects from penal laws and disqualifications. It was soon evident that even among the lords of the articles, chosen a year ago as the most serviceable agents of the crown, the reluctance to make concessions to the papists was as great as it was among the English tories. Although James had gained over the Archbishop of St. Andrews and the Bishop of Edinburgh, most of the bishops were hostile. The Duke of Hamilton adroitly increased their alarm by contending, as he had done in London, that any measure of toleration must include the presbyterians. The longer the discussion lasted, the more outspoken became the opposition.[1] A letter was drafted thanking the king for his clemency, and for his endeavour to obtain free trade with England, but only promising, with regard to the Roman catholics, that the estates would go as great lengths as their consciences would allow, "not doubting that your majesty will be careful to secure the protestant religion established by law". On June 14 the parliament was adjourned without having done anything to meet the king's wishes.

Annoyed at this wholly unexpected rebuff, James was forced in Scotland, as in England, to fall back upon preroga-

[1] The *Report on MSS. of the Earl of Mar and Kellie* (Hist. MSS. Comm., 1904), p. 219, gives the division in the articles. The majority against the king's proposal included the archbishop of Glasgow, the bishops of Galloway, Brechin and Aberdeen, with Sir George Drummond and most of the burgh delegates. Hamilton and Lockhart so far yielded to royal influence that they voted, with Tarbat, the archbishop of St. Andrews, and the bishop of Edinburgh, in the minority.

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tive. On August 21 he despatched a noteworthy letter to the council[1] declaring that, as the parliament had refused to show loyalty, justice, and charity, it devolved upon him to give the necessary protection to his Roman catholic subjects. He therefore granted them the free exercise of their religion in private houses, and expressed his intention of appointing chaplains to celebrate catholic worship in the chapel at Holyrood. This was followed by the punishment of those episcopalians who had thwarted him in the recent session. He had already fired some "warning shots" by dismissing Sir George Mackenzie, the prosecutor of so many covenanters, and by excluding two others from the privy council.[2] Later in the year there were further dismissals, and Roman catholics were appointed to fill the vacancies.

All this was done by the king's arbitrary power, but if it was to be permanent, it must receive some measure of popular support. The same reasons which impelled James to conciliate the dissenters in England, urged him to adopt a scheme of general toleration in Scotland. In January, 1687, he struck a bargain with Sir John Dalrymple, the son of the great lawyer, Sir James Dalrymple, afterwards Viscount Stair, and himself the ablest and most subtle politician on the presbyterian side. The father had retired from the presidency of the Scottish bench in 1681 rather than take the test, and had since deemed it safer to live in Holland, while the son, after incurring the displeasure of the court by defending Argyle, had twice been imprisoned by the council. He now returned from London with a full pardon for his father and with the post of lord advocate for himself. Edinburgh for a short time witnessed the unedifying spectacle of Sir John Dalrymple prosecuting western sectaries, while their old enemy, Sir George Mackenzie, appeared for their defence.

The price which Dalrymple had to pay for royal favour was his assistance in carrying into effect the policy of indulgence. That James, from previous associations, found it distasteful to make concessions to the Scottish presbyterians is evident from the history of the next few months. In a letter of February 12, 1687, announcing his new policy to the council, he expressed his "highest indignation against those enemies of

[1] Wodrow, iv., 389. [2] Fountainhall, *Hist. Notices*, ii., 723.

Christianity, as well as government and human society, the field conventiclers, whom we recommend to you to root out with all the severities of our laws, and with the most vigorous prosecution of our forces, it being equally our and our people's concern to be rid of them".[1] And in the accompanying proclamation, while granting complete toleration to Roman catholics and quakers, he only allowed moderate presbyterians to attend in private houses the services of ministers who were willing to accept the indulgence. This preposterous distinction was obviously unsuited to bring about the desired result, and on June 28 he gave permission to all subjects "to meet and serve God after their own way and manner, be it in private houses, chapels, or places purposely hired or built for that use".[2]

These successive indulgences in Scotland were contemporary with the first declaration in England, which was issued in April, 1687. But there is an instructive contrast between the procedure in the two countries. In England James had carefully to pack the bench in order to obtain a judicial recognition of the dispensing power. In Scotland the first proclamation was boldly issued "by our sovereign authority, prerogative royal, and absolute power, which all our subjects are to obey without reserve". Dalrymple might well at a later time defend his complicity in these measures by pleading that he had done his best to make the king's action as obnoxious as possible. And yet, the policy of toleration was more nearly successful in Scotland than it was in England. In spite of the continued persecution of the covenanters, among whom a last victim, George Renwick, was put to death in 1688, and in spite of the inevitable suspicion that James' measures were designed to affect the ruin of protestantism, the majority of the presbyterians gratefully accepted the proffered boon. Thus James had in Scotland, what he failed to gain in England, a reasonable prospect of substantial support if he should desire to obtain confirmation of his measures from a future parliament. This assurance was strengthened by obtaining complete mastery of the royal burghs. Instead of resorting to the legal process of *quo warranto*, by which the municipal charters had been manipulated in the south, he simply ordered the towns to stop

[1] Wodrow, iv., 417. [2] *Ibid.*, p. 426.

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all elections and to wait for royal nominations.[1] By this means Claverhouse became provost of Dundee.

Although externally calm, Scotland in 1688 laboured under many and grave grievances. The chief offices of state were held by papists, who alone enjoyed the real confidence of the king. Roman catholic services were openly celebrated in the king's chapel. In the adjacent buildings a Jesuit school offered the insidious boon of free education to all children.[2] And while royal despotism was abused to encourage and restore a hated religion, it was also employed in the cruel persecution of men whose chief wrong-doing was their obstinate adherence to a hard and narrow creed. Yet so altered was the spirit of Scotsmen since the days of the national covenant, that no serious resistance was offered to the government, not even when its permanence seemed to be assured by the birth of an heir to James. If Scotland had had to wait for a revolution until it could effect one on its own account, it might have waited long. In the actual events of 1688 which led to the arrival of William and to the flight of James, though some part was played by Scottish exiles who came over with William, Scotsmen in Scotland had no share at all.[3] And yet the Revolution, which Scotland did nothing to bring about, is a far more important event in Scottish history than the Great Rebellion which it helped to originate and in which it played so prominent a part.

That the strange quiescence of Scotland was not due to satisfaction with existing conditions is proved by the eagerness to effect political and ecclesiastical changes as soon as events in England made them possible. The nation was unable rather than unwilling to bring about a revolution. In England whigs and tories, churchmen and dissenters, were forced for the moment to take common action, and beyond politics and religion there were no strong dividing forces. In Scotland there had never been the same development of national

[1] Fountainhall, *Hist. Notices*, ii., 818.

[2] Fountainhall, *Hist. Notices*, ii., 890; Balcarres, *Memoirs*, p. 4; *Cal. of Stuart Papers*, i., 30.

[3] Sir James Montgomery declared in a letter on Aug. 10, 1690, that he had "engaged in the king's undertaking before he left Holland" (*Cal. S. P. Dom.*, 1689-90, p. 216), but Balcarres (p. 8) was of opinion that he exaggerated his services.

unity; even the different races had never been fused together, and ecclesiastical divisions were more strongly marked. The episcopalians disliked and dreaded toleration, but they dared not quarrel with the crown, which had long been their one substantial support. The presbyterians distrusted the Roman catholic king, but they could not venture to risk the loss of indulgence until they had a reasonable assurance of being able to exchange it for supremacy. And even if both sects had deemed it imperative to resist the crown, it would have been almost impossible for them to co-operate together, as Anglicans and presbyterians had already co-operated in England in 1660. In Scotland the nobles had far more political power than in the southern kingdom, but they had so long struggled with each other for the royal favour that they could not suddenly throw off the habit of servility.[1] To sum up, there were in Scotland materials for civil war, but not for such a revolution as James' misdeeds provoked in England.

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When the news reached Scotland that James had retired from Salisbury without striking a blow, and later that he had fled to France, the whole edifice which he had constructed fell to pieces. To the great chagrin of the council,[2] the standing forces had been called away to the south. Claverhouse, now Viscount Dundee, was in England with his troops, and the Earl of Balcarres, another loyal supporter of James, had been sent southwards to discuss future measures with the king. To these men James communicated his design of seeking temporary refuge in France, and promised to entrust them with the military and civil control of Scotland. Meanwhile, in their absence, the council lacked both unity and leadership, and without any military strength to back them up they were powerless. The mob in Edinburgh sacked the chapel at Holyrood and drove out the Jesuits. The peasants in the south-west "rabbled" the episcopalian clergy, and expelled them with contumely from their churches and manses. Perth, the recently omnipotent chancellor, tried to escape to France. Recognised on board ship and carried to Kirkcaldy, he was so maltreated

[1] "Pour ce pays-cy la noblesse et les gens de qualité sont par interêt attachés à la Royauté et ils sont les maistres ici," James to Barillon, Dec. 21, 1680, in Campana de Cavelli, i., 346.

[2] See Balcarres, *Memoirs*, pp. xvi, 11, for the alternative military scheme of occupying York which was advocated by Scottish loyalists.

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by the mob that he was glad to find a refuge in Stirling Castle, where he remained a prisoner for four years. His brother Melfort followed his master to St. Germain, and thence accompanied him to Ireland.

It was so evident that the future of Scotland depended upon events in England, that the roads to London were soon filled with travellers eager to avert disaster or to make their fortunes. Ambitious nobles, keen presbyterians, and dismayed episcopalians, all made their way to the court of William. In January, 1689, an assembly of Scottish nobles and gentry, held at Whitehall, invited William to assume the administration until a national assembly should settle the future government. In compliance with this request, he sent a circular letter to advise the holding of a convention. As the test would have excluded conscientious presbyterians, he suggested that in the present exceptional circumstances it should be dispensed with.

The convention—the most important legislative assembly in Scottish history—met on March 14, 1689. Two archbishops and seven bishops took their seats for the last time. Jacobites, like Dundee and Balcarres, obtained leave from James to attend what they considered an unlawful assembly. Although they were profoundly discouraged by the disregard of the test and by the attendance of resolute opponents like Argyle, whose title was contested on the ground of his father's attainder, they were not without hopes of securing the interests of the exiled king. They persuaded the Duke of Gordon to hold out in Edinburgh Castle. They knew that they could find active support in the highlands, and they were emboldened by the news of the immense preponderance of James' forces in Ireland. They had written to James to urge him to adopt a conciliatory attitude, and had virtually promised him the support of a majority if he did so. If the convention should prove unmanageable, they had powers to quit Edinburgh and to summon a rival assembly at Stirling. The first trial of strength took place on the election of a president. The Jacobites nominated the Marquis of Atholl and their opponents the Duke of Hamilton. The latter secured a majority, and at once some twenty weak-kneed voters deserted to the stronger side.

On March 16, when Hamilton proposed to read a letter

from William, a letter from James was also produced. William's letter was read without demur, but fear was expressed that James might seek to create difficulties by ordering a dissolution. To meet this objection, it was proposed that before reading the letter the convention should bind itself to sit until it had secured the government and the protestant religion. This was a bitter pill to the loyalists, but Dundee and Balcarres, confident that the letter would be of the tenor which they had counselled, decided to agree. With the bishops and the Marquis of Atholl they attached their signatures to the act, and the letter was read. To their consternation it proved to be in "Earl Melfort's hand and style," giving no promise of concessions, and threatening vengeance on all who deserted their allegiance. The house was in tumult, the king's enemies in joy and his friends in confusion.[1] From that moment the Jacobite cause was hopeless in the convention. Dundee and his associates determined to quit the assembly, and to summon another to Stirling. But at the last minute Atholl asked for a day's delay, which was agreed to. Dundee, however, who had already made a futile complaint to the convention of a project to assassinate Sir George Mackenzie and himself, insisted upon leaving Edinburgh on March 18. His premature departure upset all the arranged plans; the idea of a meeting at Stirling was abandoned, and those Jacobites who quitted the convention went to their country houses to wait until James should either come over or send assistance from Ireland. CHAP. XIV.

These events gave complete ascendency in the convention to the presbyterians, now the avowed advocates of revolution in Church and State. But their position was for a time extremely insecure. The guns of the castle dominated the parliament house. Alarm became a panic when the news came that Dundee, after riding through the Westport, had climbed the rocks to confer with Gordon at a postern gate. For some days nothing was thought of but measures for self-defence. The militia was called out and all protestants were ordered to arm themselves. Papists were commanded to retire to a distance of ten miles from Edinburgh. Fortunately, the Duke of Gordon had failed to furnish the castle with sufficient supplies, and the

[1] Balcarres, p. 28; Oldmixon, *Memoirs of North Britain* (London, 1715), pp. 40-42.

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fear of scarcity checked any acts of aggression against the city. But it was not till William sent General Mackay with the Scottish regiments from Holland that the estates could feel reasonably secure against attack. They welcomed the general by appointing him commander-in-chief of all forces in Scotland.

On March 26 the convention at last set to work by appointing a committee to propose legislative measures. Eight members were chosen from the nobles, eight barons of the shires, and eight burgh commissioners. The bishops were ignored. Among the twenty-four the lead was taken by Sir James Montgomery and Sir John Dalrymple. Both were presbyterians, though Montgomery was the more extreme of the two, and both were eager to gain William's favour. It was almost inevitable that the committee should copy the proceedings of the English convention, and William himself desired this,[1] though the result was to introduce into Scotland constitutional principles which were hardly in consonance with its past history. The most important measure came to be known as the "claim of right". After enumerating a number of James' misdeeds, it declared the throne vacant, excluded papists from the succession, condemned James' actions as illegal, and finally offered the crown to William and Mary with the same order of succession as had been laid down in England. In two notable points the Scottish document differed from the English declaration of right. James had deliberately quitted England, and this was conveniently interpreted as an act of abdication. But James had not quitted Scotland, which he had never even visited since his accession. The Scottish convention, therefore, boldly and defiantly asserted that he had "forfeited" the crown. And, in the middle of the condemnation of James' proceedings was introduced a wholly irrelevant clause to the effect that prelacy ought to be suppressed as an insupportable grievance, contrary to the inclinations of the generality of the people. The motive for putting this assertion out of its proper place was to free William from the odium of abolishing episcopacy, by making its abolition a virtual condition of his acceptance of the crown.[2]

Here the direct imitation of England ceased. The Scottish convention was not satisfied with merely putting an end to

[1] *Leven and Melville Papers*, p. 2. [2] *Ibid.*, p. 8; Burnet, iv. 40.

recent abuses. To Scottish malcontents the whole system of government since the Restoration was a gigantic abuse, and they desired to seize the opportunity to sweep it away, and to secure a free legislature such as England had long possessed. They had already condemned episcopacy, which in itself involved almost as vital a change in the State as in the Church, and they now proceeded to draft a series of "articles of grievance". The first and most important article denounced the lords of the articles and all committees for initiating legislation which were not freely elected by the estates. Other clauses condemned the act of supremacy of 1669, and the arbitrary right to levy import duties and to maintain a standing army. Without waiting for the acceptance of William and Mary, the estates ordered the proclamation of the new sovereigns from the market cross. All ministers were to pray for them in public, and those who refused were to be deprived of their benefices. Finally the convention drew up a form of coronation oath to be taken by William and Mary.

After completing with notable rapidity these revolutionary measures, the convention appointed three delegates to carry the offer of the crown to London. Argyle was to represent the nobles, Sir James Montgomery the barons, and Sir John Dalrymple the commissioners of burghs. They took with them a request that William would turn the convention into a parliament. Until their return the estates adjourned, after appointing a committee to supervise public affairs during the interval. The three commissioners had an easy task. William, not yet secure in England, and confronted with formidable opposition in Ireland, could hardly adopt a critical or ungracious attitude towards his supporters in Scotland. The essential measures of the convention—the offer of the crown, the claim of right, and the articles of grievance—were read to him, and he formally took the prescribed oath. To the words about rooting out heretics he made some demur on the ground that he would never be a persecutor, but his scruples were removed by the legal casuistry of Dalrymple. No formal pledge was demanded or given as to the carrying out of the future legislation which the convention had sketched out. But in the circumstances the whole transaction seemed to take the form of an implied compact, and this interpretation was confirmed

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when William agreed, not altogether willingly, to continue the convention as a lawful parliament.

William had now gained the second of the three crowns which James had lost. His first task was to select ministers from the numerous applicants for office. In Scotland, as in England, he refused to be bound by party interests, but the revolution in the north was so exclusively the work of the presbyterians that he could not help giving them predominance. The Duke of Hamilton, who had been president in the convention, was to represent the crown as commissioner in the approaching session of parliament. His place as president was transferred to the Earl of Crawford, whose command of biblical language gave him prominence even among the most exalted presbyterians. The office of lord advocate was given, as his ability and services merited, to Sir John Dalrymple. His father was restored to the presidency of the court of session. The highest offices of state were put into commission in order to provide a wider distribution of places. One consequence of this procedure was to increase the power of the secretary of state, always an important official on account of his close intercourse with the sovereign. The most eager candidate for the post was Montgomery. But William passed him over as pledged to the ultra-presbyterians, and appointed the Earl of Melville, a returned exile, without any colleague. The choice of a single secretary was in itself unpopular as a return to the precedent of Lauderdale, and it exasperated Montgomery. Finally, in filling up the privy council,[1] William included some of those moderate episcopalians who had refused to vote that the throne was vacant, but, when that was carried, had agreed that William and Mary should be invited to occupy it.

William's difficulties in Scotland only began with his accession. He constantly professed his desire to visit his northern kingdom, but he never found the time or the opportunity. Thus he never gained that acquaintance with Scottish problems which could only come from personal intercourse on the spot. Even when he had made up his mind on such balance of jarring counsels as he could adjust, he had to entrust the actual conduct of affairs to delegates, who in some cases lacked ability and discretion, in others were but imperfectly in sympathy

[1] For the list of privy councillors, see *Cal. S. P. Dom.*, 1689-90, p. 109.

with their master's intentions, and at all times lacked that supreme influence which only the king in person could exercise. Moreover, William's interests were prejudiced, in Scotland as in England, by his curious inability to appreciate the strength of nationality, or to give unstinted confidence to anybody who was not a Dutchman. For several years he entrusted the supervision of Scottish affairs to his favourite Bentinck, whose excessive influence in foreign politics was to excite so much ill-will in England. That under the circumstances more serious blunders were not made, is largely due to the fact that the one man of British birth whose honesty and good sense William never doubted was a Scotsman, William Carstares.

The three immediate problems which confronted William were the certainty of opposition in the highlands, the danger that the parliament would claim excessive independence and authority, and the probability that the nation would be permanently divided by the erection of an exclusive and revengeful presbyterian Church. Of the three the war, though it has attracted the most attention in Scottish tradition, was by far the least dangerous problem. Dundee, after his sensational ride from Edinburgh, had retired to his house in Forfarshire. There he waited for a commission from James, which had been actually drawn up on March 27, but had been intercepted by the capture of the messenger to whom it was entrusted. In the meantime he carried on an active correspondence with such highland chiefs as were likely to aid the Jacobite cause.

The outbreak of hostilities was hastened by the action of the authorities in Edinburgh. When James' captured letters had been read, the committee of the estates promptly arrested Balcarres, and ordered Mackay to seize Dundee. But the latter, having received warning, fled northward to organise a rising among the clans. The highland chiefs had no great interest in politics and still less in ecclesiastical disputes, nor had they shown in the past any eager devotion to the house of Stewart. But their pride was hurt that a convention in Edinburgh should presume to call a Dutchman to be their ruler, and the more westerly clans resented the revived ascendency of Argyle. By appealing to these sentiments, Dundee could hope to raise what the career of Montrose had proved to be a formidable fighting force. But the days were long past when

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the highlands could hope to subdue the lowlands and dictate the future of Scotland. No one knew this better than Dundee, who was himself a lowlander. All that he could possibly accomplish in Scotland was to worry the government, to keep some part of William's forces from being employed elsewhere, and to gratify his active but greedy followers by a series of plundering raids. More serious operations must wait until James could come over with an army from Ireland, or until supplies of men and money should arrive from France. Thus it was no part of his policy to risk an encounter with superior forces, and whenever he found himself too near to the regular troops, he promptly retreated. His opponent, Hugh Mackay, though a highlander by birth, had so long been engaged in the methodical operations of continental war that he had lost any natural aptitude for conducting guerilla operations in a mountainous country. Tired of chasing an elusive enemy, he soon came to the conclusion that the only way to subjugate the highlands was to interrupt communication between the clans by erecting forts at a number of strong positions.[1]

With these dispositions on both sides, the war might have lasted for some time without any decisive result. But, early in July, Colonel Cannon arrived from Ireland with some 300 men and a small supply of arms and gunpowder. This was a bitter disappointment after the extravagant hopes which Dundee had expressed to his followers. To prevent their discouragement it was almost necessary to strike some impressive blow. A clansman of Atholl had seized in Dundee's interest the castle of Blairs, which lay in the heart of the marquis' country. Mackay determined that the castle must be retaken, and his march enabled Dundee to give battle with every advantage of position on his own side. After emerging from the pass of Killiecrankie on July 27, Mackay's small army of about 4,000 men found themselves exposed to attack from the highlanders, some two-thirds of their own number, who were stationed on the upper slopes. The encounter was one of the shortest in history. As the evening approached, Dun-

[1] For the complicated history of the military movements, see Mackay's *Memoirs*, *The Grameid* (Scottish Hist. Society), and an ingenious attempt to reconstruct the topographical details of the campaign in Professor C. S. Terry's *John Graham of Claverhouse* (1905).

dee gave the order to charge. A volley was fired on both sides, and the highlanders, rushing down-hill, were at close quarters with their claymores, while the soldiers were still fumbling with their unfixed bayonets. A sudden panic swept the troops in backward flight down the narrow gorge of the pass. Mackay, who showed both courage and coolness in the midst of disaster, led such of his men as had preserved any order and discipline westwards through the night.

Although no victory could have been more brilliant and complete than that of Killiecrankie, the battle was on too small a scale to have determined the issue of the struggle, even if Dundee had lived. But he had been fatally wounded by a bullet at the very beginning of the engagement, and his death was an irreparable disaster to the Jacobite cause. Cannon, who succeeded to the command, had no claim to the allegiance of the clansmen except James' commission, and he was as ill-fitted as Mackay for the only sort of warfare which the highlanders understood. An attack upon Dunkeld was repulsed by the heroic obstinacy of the Cameronian regiment which had been recruited from the western covenanters. After this check most of the highlanders returned to their homes, and Cannon was left to winter in Lochaber with hardly any followers except the regiment which he had brought from Ireland. Meanwhile Mackay had received reinforcements from the south. In 1690 Major-General Buchan was despatched by James to take over the command in Scotland. But by this time the enterprise had become hopeless. On May 1 Buchan was surprised by Sir Thomas Livingstone at Cromdale on Speyside, and his small army was completely dispersed. With this disaster organised resistance in arms to William came to an end, though a year and a half passed before the hostile clans made their submission.

Seven weeks before Killiecrankie was fought, the convention had reassembled as a parliament. The bishops, though still legally entitled to their seats, absented themselves from an assembly in which their fate was doomed.[1] The castle was at last surrendered, so that there was no longer any fear of violent interruption. But this very security tended to increase

[1] William's instructions to Hamilton (*Cal. S. P. Dom.*, 1689-90, p. 126) declared that "the three estates are to consist of noblemen, barons, and burghers".

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the difficulties of government. The session which opened on June 17 was the most stormy that Scotland had ever witnessed. For the first time in Scottish history we have quarrels between the executive and legislature comparable to those of Charles I. with the Long Parliament. Sir James Montgomery vented his disappointed ambition by organising a formidable opposition. Its members met in taverns to arrange their procedure, and assumed the name of "the club". All who resented the promotion of Melville and the favour shown to the Dalrymples were drawn into the net.

A good ground for fighting presented itself at the outset. Hamilton was authorised to consent to the establishment of presbyterianism if the majority should desire it. But all legislation was to proceed, as in the past, through the committee of the articles, though its composition and powers were to be altered in deference to the first of the articles of grievance. When, however, the commissioner proposed to proceed to its election, the opposition took the line that all standing committees had been condemned, and that no minister could sit on any committee unless he should be chosen by his estate. Dalrymple vainly advanced arguments, based upon precedent and policy, in favour of reforming the old procedure rather than of sweeping it away, and pointed out that ministers, as *ex officio* members of parliament, did not belong to any estate. Montgomery and his friends replied that parliamentary independence would be at an end if non-elected members of committee were to frame its legislation, and that the king was pledged to redress the grievances already brought before him.[1] They had numbers on their side, and their bill for abolishing the articles was carried by eighty votes to fifteen.

The questions raised in this discussion were of supreme importance. The Scottish parliament was not an experienced legislature with a long tradition of elaborate procedure to guide it. It had no rules of debate, no separate readings of bills, and no second chamber. As everything was settled by a single vote, there was no machinery for revising a hasty and ill-considered decision. To exclude ministers from parliamentary committees would deprive those bodies of the bene-

[1] The course of the debate may be followed in the letters to Lord Melville printed in the *Leven and Melville Papers*.

fit of official experience and guidance, and would leave the government without any voice in the framing of legislative measures. Above all, the royal veto was almost unknown in Scotland. It had never been needed as long as the crown could control legislation through the articles. But if that committee were to be abolished, and complete independence granted to a single irresponsible chamber, then it was inevitable that the veto must become a substantial reality, and its novelty was certain to give rise to friction and ill-feeling.[1] Hamilton was in a serious dilemma. His instructions made it impossible to consent to the abolition of the articles, and some time must elapse before he could consult the king and the secretary in London. Meanwhile the opposition proceeded as if their act was already law, and brought fresh measures before the full parliament. Among their proposals was one to disqualify from office all participants in those acts of James which had been condemned in the claim of right. This was specially directed against Dalrymple, who had been lord advocate in 1687. Another bill, aimed at the elder Dalrymple, asserted that the nomination of judges required the approval of parliament, and that the lord president should be chosen by his colleagues and not by the crown. Both measures were passed by large majorities, but the commissioner refused to touch them with the sceptre.

The only way to put a stop to these vexatious proceedings was to dissolve or adjourn the parliament. But either step would provoke dangerous exasperation, and nothing could cast more discredit upon William's government than to advertise to the world an irreconcilable quarrel between the king and the assembly which a few months before had almost unanimously raised him to the throne. On the receipt of somewhat tardy instructions from London,[2] Hamilton proposed a new compromise, that the representatives of each estate should be increased from eight to eleven, and that they should be subject to periodical re-election, but he still insisted upon including the ministers of the crown. The parliament rejected this as wholly inadequate, and demanded the confirmation of their original measure. As a last resource, the commissioner tried

[1] Letter from Sir John Dalrymple in *Leven and Melville Papers*, p. 82.
[2] *Cal. S. P. Dom.*, 1689-90, p. 176.

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to divert attention from constitutional reforms to the pressing question of the Church settlement. An act was passed and approved for the abolition of episcopacy. But to further measures for the restoration of the presbyterian ministers evicted in 1662, and for the abrogation of the act of supremacy, Hamilton refused the confirmation of the crown.

The question of the future government of the Church in Scotland was almost as difficult and thorny as that of the reform of parliamentary procedure. National opinion on the subject was by no means so unanimous as the clause in the claim of right would suggest. North of the Tay the episcopalians were largely in the ascendant, and in several of the southern shires they constituted a very considerable minority. Among the upper classes there still lingered the old contemptuous hostility to presbyterianism. Moreover, the Cameronians, and many men of more moderate views, were pledged to oppose anything that savoured of erastianism, and were hostile to any settlement of Church government or doctrine by the state. But in 1689 a purely ecclesiastical assembly would have been predominantly episcopalian, and it was inconceivable that either parliament or crown would abdicate all voice in a matter of supreme national concern. The present parliament had already shown its inclinations, but William, though he had expressed his willingness to yield to the nation's wishes, was not without some reason for hesitation. He had no desire to sacrifice any part of his prerogative, and presbyterianism involved the surrender of his ecclesiastical supremacy. Nor was it favourable to his secular power. The arguments which had led James I. to formulate the maxim, "no bishop, no king," were as strong at the end of the century as at the beginning. Moreover, the Scottish presbyterians, after the ill-treatment which they had received, were certain to demand retaliatory measures against their oppressors, and William was by temperament and conviction opposed to religious persecution.

These considerations had no weight with the impulsive majority in the Scottish parliament. They were furious at the refusal of the commissioner to consent to the abolition of the articles and to approve their ecclesiastical measures. It was suggested that the Dalrymples, who were regarded as responsible for misleading the king, should be impeached.

Even the panic inspired by the first news of Mackay's defeat failed to produce harmony. When Hamilton demanded money for the maintenance of the army, the estates curtly refused on the ground, more familiar in English than in Scottish history, that redress ought to precede supply. The commissioner's scanty supply of patience was at last exhausted, and he adjourned the parliament on August 2. The only product of the stormy session was the act which put an end to prelacy, and declared that the king and queen would, with the advice and consent of this parliament, "settle by law that Church government in this kingdom which is most agreeable to the inclinations of the people".

During the winter of 1689-90 ecclesiastical anarchy prevailed in Scotland. In some parts bishops were still ordaining priests, and were even endeavouring to collect tithes; in others kirk-sessions and presbyteries were meeting; and in the law courts suits were being instituted by the "rabbled" clergy for the payment of their stipends. But events were steadily tending towards a settlement on the lines already suggested by parliament. The Scottish council invited congregations to inform against ministers who refused to pray for William and Mary, and nearly two hundred episcopal clergy were evicted from their livings. Carstares convinced William that the episcopalian leaders were pledged to Jacobitism, and that the revolution settlement would be insecure unless they were rendered powerless. The king agreed that his commissioner in the next session should have authority to consent to the establishment of presbyterian government, and even, if necessary, to the abolition of patronage.[1] This in itself would have undermined the popular influence of the club, but Montgomery also ruined his chances by his overweening ambition and self-confidence. A visit to London in December convinced him that he had failed to intimidate William, and that he had no hope of political promotion under his rule. Carried away by anger and disappointment, he conceived the chimerical project of restoring James, who was to give him the coveted secretaryship and an earldom. In conjunction with two other disappointed office-seekers, the Earl of Annandale and Lord

[1] Melville wrote to this effect to the presbyterian ministers on Oct. 5, 1690, *Cal. S. P. Dom.*, 1689-90, p. 285.

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Ross, he opened negotiations with Balcarres and other Jacobites. The basis of the proposed alliance was that Montgomery was to continue to play the bigoted presbyterian, and the Jacobites were to support all his extreme proposals. It was assumed that William would again refuse his assent, and that his consequent unpopularity would be so much profit to the cause of the exiled king.[1] It was a dangerous game to play, and it compelled the Jacobites to swallow their scruples by taking the oath of allegiance to William and Mary.

The momentous session which was to determine the fate of Scotland opened on April 15, 1690. Sir John Dalrymple reckoned beforehand that the government was assured of a majority.[2] The last hope of the opposition disappeared when Hamilton was superseded as royal commissioner by Melville, whose conciliatory manners gained him a popularity in Edinburgh which he had never enjoyed when he was supposed to be playing the distant dictator in London. Two acts of the last session, for the repeal of the act of supremacy, and for the restoration of all presbyterian ministers evicted since January, 1661, were reintroduced and approved on behalf of the king. But Melville refused to confirm the previous act on the subject of committees. This threatened to give rise to serious difficulties, until they were averted by a new measure proposed by Argyle and adopted on May 8. By this important act the old committee of the articles was finally abolished. Parliament was to appoint committees at pleasure, and to fix their number, provided that each estate should be equally represented upon any committee for preparing business. Also parliament might discuss and vote upon any proposal without referring it to a committee. The officers of state might attend any committee, but were not to have a vote, unless the nobles should choose one of them as a delegate.

After the confirmation of this act the opposition was powerless.[3] Balcarres wrote to James that "never did men make a more miserable figure in any assembly than your

[1] Balcarres, p. 56. See also Annandale's confession in *Leven and Melville Papers*, pp. 506-12.

[2] *Leven and Melville Papers*, p. 392.

[3] Melville's letter to the king on May 8, 1690, in *Cal. S. P. Dom.*, 1691-92, p. 273. This and three other important letters from Melville are erroneously dated 1692.

friends did in this, after that they saw themselves abandoned and out-voted in everything, and had nothing to do but sit and hear Duke Hamilton bawl and bluster in his usual manner, and Sir James Montgomery and Sir John Dalrymple scold like watermen".[1] On June 7 the great act for the settlement of the Church confirmed the act of 1592 establishing the government by kirk-sessions, presbyteries, provincial synods, and general assemblies. Churches from which ministers had deserted or been removed before April 13, 1689, were declared to be vacant. Thus the disorderly rabblings were approved. Finally the government of the Church was to be entrusted to the restored presbyterian ministers, and such as they should admit to the ministry. It is significant that on the very same day as this act was passed the long-delayed vote of supplies received the assent of the house.

The government had not gained their victory without making serious concessions. The act on Church government had been carefully considered by William and Carstares, but their suggested amendments had not been accepted.[2] The king would have liked to maintain the system of patronage, but Melville deemed it safer to approve an act for its abolition. On the other hand, the parliament had shown its loyalty by imposing upon all subjects an oath recognising William as king *de jure* as well as *de facto*. The security of the government seemed to be fully assured when the chief organisers of the abortive "Montgomery plot" made confession of their misdeeds.[3] The humbled Jacobites confessed that nothing could excuse "our joining with the one half of our enemies (and that the worst half) to ruin the other, nor could even success have justified a policy too far pushed".[4]

There is a marked contrast between the Revolution in Scotland and that in England. In the country which actually carried it out there was the minimum of formal change, and the machinery of civil and ecclesiastical government went on under William and Mary much as it had done under the Stewarts. But in Scotland, which passively watched the revolution, two fundamental changes of the first importance were brought about. The Church organisation which had been

[1] *Memoirs*, p. 58. [2] See *Leven and Melville Papers*, p. 436.
[3] Balcarres, p. 65; *Leven and Melville Papers*, p. 506. [4] Balcarres, p. 67.

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established for the greater part of the century was suddenly and completely overthrown. In its place was set up a system of ecclesiastical government, not exactly novel nor alien to popular sentiment, but still a system which had only twice been tried in practice and on each occasion for a very brief period. The constitutional change was of even greater immediate importance. Hitherto the Scottish parliament had been a docile institution, subject to efficient control even when the monarchy was weak, and actually servile since the monarchy had been strengthened by the union of the crowns. From this control it was now entirely freed by the abolition of the lords of the articles. The procedure of the Scottish parliament was extremely vague, the relations of the three estates had never been formally settled, and the powers of the assembly were ill-defined. These powers, which it was encouraged by the example of the English parliament to extend, could henceforth be exercised in almost complete independence.

Such a change created at once a grave political difficulty. For nearly a century Scotland and England had been subject to the same sovereign, and during that period any serious quarrel between them had been averted by that very subservience of the Scottish parliament which was now at an end. As long as the king could dictate to the Scottish estates through the articles, and could control Scottish administration by his privy council, there was little danger that Scotland would act in antagonism to vital English interests. That danger after 1690 became real and pressing. It might be raised at any moment by an uncertainty about the succession to the throne, or in connexion with foreign politics. There was no longer any security that Scottish action might not irritate a power with which England was friendly, or that Scotland might not wish to maintain amicable relations with a state which was at war with England. If such contingencies should arise, and they were sooner or later inevitable, it was yet to be seen what attitude would be assumed by the larger and more prosperous state towards the neighbour with which it was united by no stronger bond than subjection to a common sovereign.

Two of the difficulties in which William was involved by the novel independence of Scotland were concerned with purely domestic politics. One of them arose in connexion

with the settlement of the Church. Although the obnoxious supremacy granted by the act of 1669 had been abrogated, the king continued to claim very considerable authority in Church affairs. This brought him into inevitable collision with the ideas of spiritual independence which were bound up in the traditions of presbyterianism. The general assembly which met in October, 1690, was, thanks to the influence of Carstares, comparatively moderate in its attitude. All ministers who would subscribe the confession of faith and submit to presbyterian government were to be allowed to retain their livings. To purge the Church of such as could not satisfy these conditions, the assembly appointed two commissions: one for the district north of the Tay, and the other for the southern counties. In the north, where episcopacy was strongest, the proceedings of the commissions were resented as harsh and intolerant,[1] and William was inclined to share this opinion. The supply of orthodox presbyterian clergy was insufficient to fill the churches of Scotland, and if all episcopalians were ejected, a great part of the country would have no divine service. Moreover, William was inclined to lay more stress upon the oath of allegiance than upon any ecclesiastical test. This attitude provoked vigorous opposition from the general assembly of 1692, and the commissioner could only silence its protests against erastianism by exercising the secular prerogative of prorogation In 1693 the parliament imposed on all clergy the oaths of allegiance and assurance. When William decided to enforce this act upon the general assembly of 1694, a fatal quarrel was only averted by the action of Carstares, who was bold enough to stop the messenger carrying William's instructions, and influential enough to induce the king to alter them. This was perhaps the worst crisis in the relations of Church and Crown, but there was a constant suspicion in Scotland that William was inclined to favour the friends of episcopacy. Matters became even more serious when the crown passed to Anne, who did not conceal her preference for both English tories and Scottish episcopalians.

The second domestic problem, which very nearly led to an open quarrel between crown and parliament, arose in connexion with the settlement of the highlands. From the first there

[1] See Tarbat's letters in *Leven and Melville Papers*, pp. 571, 586.

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had been two parties on this question in government circles. Mackay had urged intimidation, while Tarbat was in favour of conciliation. With characteristic impartiality William employed both methods. Mackay was allowed to construct Fort William at Inverlochy, while Tarbat employed Lord Breadalbane to buy off the highland chiefs.[1] Both contributed to bring about the ultimate pacification. As long as there was any hope of external assistance, the rebellious clans held out. But when Limerick capitulated, and the forces of France were fully employed in the continental war, it became obvious that nothing could be gained by prolonging purposeless hostilities in Scotland. In June, 1691, Breadalbane arranged with the chiefs a cessation of arms for three months, and in August a royal proclamation promised indemnity to all who would take the oath of allegiance by the end of the year. This lenity was not altogether pleasing to men who were inspired by the traditional enmity of the lowlanders to the lawless clans of the north. Sir John Dalrymple, who had become the Master of Stair by his father's elevation to a viscountcy in 1690, did not conceal his confident hope that there would be a widespread refusal to accept the terms, and especially that well-deserved punishment would be meted out to the Macdonalds, "the only popish clan in the kingdom".[2] In anticipation of such refusal, orders were sent by William on January 11, 1692, to Sir Thomas Livingstone, Mackay's successor in the Scottish command, to act against the highland rebels "by fire and sword, and all manner of hostility; to burn their houses, seize or destroy their goods or cattle, plenishing or clothes, and to cut off the men".

At this very moment came the news that practically all the chiefs had complied with the proclamation. The only exception was Macdonald of Glencoe. It subsequently became known that he had presented himself to the commander at Fort William, had been referred by him to the sheriff of Argyleshire, and, owing to bad weather, had not been able to reach Inveraray in time. But the sheriff, yielding to his entreaties,

[1] For Mackay's enmity to Tarbat and his cousin, Lord Melville, see his *Memoirs*, pp. 88, 90, 181.

[2] *Papers Illustrative of the Highlands of Scotland* (Maitland Club, 1845), pp. 49, 53.

had accepted the oath from him on January 7, and had sent it with his attestation to the privy council at Edinburgh. There the clerks had refused to receive the oath as tendered too late. These circumstances cannot have been known at the time in London. CHAP. XIV.

The Master of Stair was exultant that at least one victim could be found, and William was not unwilling to give an example of the punishment that awaited obstinate rebels. On January 16 he issued supplementary orders to Livingstone which contained the afterwards famous sentence: "if MacIan of Glencoe, and that tribe, can be well separated from the rest, it will be a proper vindication of the public justice to extirpate that set of thieves". Dalrymple added, in an accompanying letter: "for a just example of vengeance, I entreat that the thieving tribe in Glencoe may be rooted out in earnest". Livingstone knew by the 23rd that Glencoe had actually taken the oath, and yet, on the ground that "at court it's wished he had not taken it," he sent instructions to Fort William to "begin with Glencoe, and spare nothing which belongs to him, but do not trouble the government with prisoners". The horrible events which followed are well known. On February 1, Captain Campbell of Glenlyon, whose niece had married one of the chief's sons, came to Glencoe with 120 soldiers. For twelve days they were hospitably entertained by the clansmen. On February 12 imperative orders arrived from Major Duncanson at Ballachulish to fall upon the Macdonalds, and to put all under seventy to the sword. The avenues were to be secured, and special care taken that the "old fox and his sons do not escape". Early the next morning the soldiers fell upon their unsuspecting hosts. The chief was shot in the back, and so indiscriminate was the slaughter that women and children fell among the victims. Fortunately, inadequate precautions had been taken to close the exits from the valley, and several of the clansmen, including two sons of the murdered chief, escaped over the hills to spread the story of their wrongs.[1]

Letters of fire and sword were neither illegal nor uncommon in Scotland, and the past record of the Glencoe men was not likely to command much sympathy in the lowlands. The

[1] Almost all the chief relevant documents are to be found in *Papers Illustrative of the Highlands of Scotland.*

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massacre of February 13, 1692, would probably have been numbered among the little known tragedies of highland history, if it had not served as a convenient instrument of party spite. The Jacobites made the most of it in order to cast odium upon William and his government. But what really brought home the iniquity of the event to the national conscience was that it was seized upon by the numerous enemies of the Stair family among the dominant faction. In an age of bitter party strife, an action must indeed be black which is condemned in equally strong terms by both sides. Thus the Glencoe massacre has come to stand out in history with a prominence which none of the actors in the drama can have anticipated. In the session of 1693 the demand for an inquiry was with difficulty stifled; but in 1695 ministers found it necessary to anticipate a renewal of the demand by appointing a royal commission. Their report was sent to William, and the commissioner, Lord Tweeddale, was anxious that the decision as to punishment should be left in the king's hands. But parliamentary pressure was too strong for him, and on June 24 he reluctantly submitted the report to the eager house. Although almost undisguisedly drawn up to exculpate the king, which could only be done by sacrificing Dalrymple, the verdict of the commission may on the whole be accepted as justified by the evidence. It began by drawing a distinction between the order and the method in which it was carried out. The latter, for which neither king nor minister was responsible, was unreservedly condemned. As to the order, the king's instructions to Livingstone, though obviously leaning to the side of severity, left a discretionary power to the officer on the spot. On the other hand, Dalrymple's letters minimised that discretion, and showed distinct malice against the incriminated chief and his clan. To this extent he went beyond the king's instructions and was open to censure. The address which parliament drew up necessarily followed the lines of the report. It exonerated the king and Livingstone, emphasised the censure on the Master of Stair, and demanded that the officers actually concerned in the massacre should be sent home from Flanders to be prosecuted for murder.[1]

[1] See, in addition to the work referred to above, *Acts of the Scottish Parliament, sub ann.* 1695, and *Cal. S. P. Dom.*, 1694-95, pp. 500, 504.

In the circumstances, which made it imperative to draw a distinction between William and Dalrymple, it was impossible for either the commission or the parliament to lay stress upon the one valid defence for both, that they did not know about Maclan's tardy taking of the oath of allegiance. The argument which led to the denial of such ignorance on Dalrymple's part is wholly inconclusive. But this defence fails to exculpate the king from the charge of really approving the massacre, which is borne out by his refusal to allow the perpetrators to be punished. The incriminated officers were neither called home nor subjected to any censure. Dalrymple, it is true, resigned the secretaryship, but William granted him an express remission in connexion with the massacre. The chief immediate result of the parliamentary agitation was to deprive the king of the services of his ablest Scottish minister. A more important indirect result was to prepare the way for more friendly feelings between highlands and lowlands, and thus to weaken one of the strongest obstacles to the national unity of Scotland. CHAP. XIV.

Far more vitally important than quarrels with the Church and the parliament was the difficulty in which William was involved by the foundation of the "Darien Company". Some difficulty of this sort attends every effort to rule two equal and independent kingdoms whose interests are not identical. William did his best to maintain an impartial attitude, and failed, as every ruler must fail in similar circumstances. The Revolution in Scotland was a triumph of the comparatively industrious south over the idle and marauding north; it was also a victory of the rising commercial class over the hitherto dominant and repressive aristocracy. Scotsmen were debarred by the navigation acts and by the privileges of exclusive companies from any direct share in the mercantile prosperity of England. But there was nothing to prevent an independent Scottish parliament from establishing rival monopolies of its own. With the desire to improve Scottish industry and trade William was in full sympathy. In 1695 he authorised Lord Tweeddale "to pass an act for encouraging a plantation in Africa, or America, or any part of the world in which plantations may be lawfully acquired, in which act you are to declare that we will grant to our subjects of that kingdom such rights

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and privileges as we grant in like cases to the subjects of our other dominions, the one not interfering with the other".[1] Acting upon these instructions, but without any special reference to the crown, and with no consideration of possible injury to English interests, Tweeddale gave his approval to an act creating "a company trading to Africa and the Indies". To contemporaries it was generally known as "the African Company". Its members were authorised to seize unoccupied territories in Asia, Africa, and America, to plant colonies, construct forts, maintain troops, and conclude treaties. By a special clause the king was pledged to exact reparation from any foreign state which should molest the company.

The directors, among whom William Paterson was the guiding spirit, fixed the original capital at £600,000, of which half was to be subscribed in Scotland and half in England. The English share was raised with gratifying rapidity, and the question then arose as to the direction in which the company should employ its energies. It was decided to embark in the most lucrative of all trades, and to fit out ships for the East Indies. The English East India Company promptly exerted its vast parliamentary influence to crush a possible rival. The lords and commons met in conference, and denounced the injury that would be done to English trade and to the customs revenue. William, annoyed that the action of his commissioner should have roused this inconvenient storm, replied that he had been ill-served in Scotland, and dismissed Tweeddale. Meanwhile the hostility of the English parliament induced the subscribers in London to withdraw their support. Thus the project of embarking in the East India trade was perforce abandoned, and the financial stability of the new venture was in serious jeopardy. Exasperated at what they regarded as an insulting attack upon their independence and a base desertion of their interests by the king, the Scots now took up the company as a national concern. The capital was cut down to £400,000, and in spite of the poverty of the country this sum was subscribed. After a brief experiment in banking, which was ultimately abandoned to the recently formed Bank of Scotland, all energies were concentrated upon an enterprise which Paterson brought

[1] *Cal. S. P. Dom.*, 1694-95, p. 428.

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forward in 1696. This was to establish a colony upon the isthmus of Darien in order to conduct overland the trade between the Atlantic and the Pacific. By this means, it was thought, the commerce between Europe and Asia might be diverted from the route round the Cape, and Scotland might supplant Holland as the great emporium for the wealth of the east. In Paterson's own words, "This door of the seas, and the key to the universe, will enable its proprietors to give laws to both oceans, and to become arbitrators of the commercial world, without being liable to the fatigues, expenses, and dangers, or contracting the guilt and blood, of Alexander and Cæsar".[1]

By 1698 the necessary preparations were completed. Ships had been built in Holland, and some 1,200 colonists, including Paterson and his wife, sailed from Leith to Darien, took formal possession of the country under the name of New Caledonia, and commenced the foundation of a town which was to be called New Edinburgh. The enterprise was imprudent to the verge of insanity. The isthmus had been discovered by the Spaniards two centuries before, and they had only failed to settle there because the climate was fatal to Europeans. But Spain would not tolerate foreign intruders in the very heart of her American dominions, and an expedition was being fitted out to expel the settlers, when it was rendered unnecessary by the progress of disease, which forced the scanty survivors to escape certain death by sailing for New York. Before this terrible news reached Scotland, a second body of colonists had started for Darien, where they arrived to find New Edinburgh deserted and in ruins. With the courage of despair, they landed, but their fate was already sealed by fever and dissensions, when they were attacked by a Spanish force. After a brave resistance against odds, the few remaining settlers were forced to surrender and to return homewards.

These events were the source of endless trouble to William. He was engaged at the time in the negotiation of a treaty of partition, by which he hoped to avert a great European war on the question of the Spanish succession. The almost insuperable difficulty in the way was that the Spaniards themselves

[1] J. S. Barbour, *William Paterson and the Darien Company* (1907), p. 40.

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loathed the very idea of partition. If they were to be induced to give even a passive consent, it was imperative that the negotiators should avoid any word or action that might hurt Spanish susceptibilities. Yet, at this very moment, William's Scottish subjects, who had no voice in their king's diplomacy, were engaged in acts which Spain resented as injurious and insulting, and were clamouring that the king should exact reparation from their opponents. When the news arrived that the colonists had beaten back the first Spanish assault, the mob insisted that Edinburgh should be illuminated, broke down the doors of the Tolbooth, and compelled every passer-by to drink to the health of Caledonia.[1] The final disaster, which meant the loss of their hard-won investments, roused the Scots to fury. They attributed the failure, not to its real and obvious causes, but to the jealous enmity of England. The most reckless and treasonable pamphlets denounced the king who had betrayed one of his kingdoms for the profit of the other. The parliament, which met twice in 1700, could hardly be induced to consider any other business than that of the African Company. It was in vain that the king and his representatives promised reasonable compensation, and pointed to the calamitous disturbance of the peace of Europe which must have resulted from any attempt to defend the colony at Darien.

The exasperation of Scotland was partly reasonable and partly unreasonable. It was unreasonable so far as it expected that a king of England could allow his carefully devised schemes to be ruined by the championship of a hopeless enterprise. But it had reason on its side in calling attention to the hollowness of supposed independence when the king and his diplomatic representatives were the keenly interested agents of another state. Scotland must either be completely united with England, or it must give reality to its recently won independence by asserting its right to a foreign policy of its own. That meant separation. William was fully alive to the dilemma, and to the supreme importance of the inevitable choice between the two alternatives. His first message to the Scottish convention had commended the project of a union with England, and his last message to his English parliament urged it to take steps to

[1] *Hope Johnston MSS.* (Hist. MSS. Comm., 1897), p. 117.

bring such a union about. He himself did not live to see the consummation of his wishes, and it was left to his successor's reign to witness the conclusion of a treaty of union, which has, on the whole, brought greater benefit to the two contracting states than any similar transaction in history. The events leading up to the union were the direct result of the Revolution. CHAP. XIV.

CHAPTER XV.

THE REVOLUTION IN IRELAND.

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WHILE in England the Revolution was accomplished with a minimum of bloodshed, and while in Scotland there was a short and sharp struggle, of which the issue was never really in doubt, in Ireland the transfer of the crown gave rise to a desperate civil war, in which for some time the forces were not unequally balanced. In the western island the contest between James and William became identified with the bitter enmity which divided the Saxon from the Celt, the protestant from the Roman catholic, the prosperous and progressive landholder from the former occupant of the soil whom he had displaced. For some twenty years the intensity of the feud had been relaxed, and the reign of Charles II. was long looked back upon, in contrast with the times which preceded and followed it, as a sort of golden age. What was needed to perpetuate this comparative peace was a recognition, on the part of the weaker combatant that there was something beyond his reach, and a willingness on the part of the stronger to make concessions in all matters that were not vital to his ascendency. The one essential thing to the protestant settler was the land, and the political superiority which in the seventeenth century was associated with the land. That contest was over. The act of settlement in 1662 and the explanatory act of 1665 had, whether fairly or unfairly, given the bulk of the land to the colonists. This was a grievance to the natives, but it was a grievance which in course of time might come to be only dimly remembered. There was no religious persecution. The English penal laws did not apply to Ireland, nor did the test acts of Charles II.'s reign. The chief danger lay in the dependence of the protestant oligarchy upon England, and in the inclination of England to abuse its power in order to inflict economic

harm upon Ireland. This was the only serious obstacle to Irish contentment when Charles II. died. Even the excitement of the popish plot had left Ireland comparatively tranquil, in spite of Shaftesbury's criminal attempt to prove Irish complicity. CHAP. XV.

The accession of James, and his determination to restore predominance to Roman catholicism, put an abrupt end to this period of peace. A Roman catholic king could never forget that in one part of his dominions the great majority of his subjects shared his own faith. It was James' misfortune that they belonged to another race, that many of their aims were divergent from his own, that they had no strong loyalty to himself and his house, and that he could not gratify them without alienating opinion in England and in Scotland. The more opposition he met with in England, the more he was driven to rely upon the native Irish. Thus what had seemed in the late reign to be settled became again open to change. If the Roman catholics could acquire military and political power, and for James' purposes this must be brought about, they would not be content till they had recovered the land.[1] James doubtless would have liked to see Ireland Roman catholic and at the same time bound to England; but the combination was impossible. Clarendon did his best to bring this home to the king, but he was too timid to be convincing, and too prejudiced to be trusted. The full-blooded promises of Tyrconnel, that he would make Ireland submissive and helpful, made much more impression, and James gave him a free hand. The result was that the army and the corporations passed under Roman catholic control. James' ultimate decision to seek safety in France, while it was fatal to his hold upon England, was less disastrous in Ireland, where the native population was quite willing to receive French help for the overthrow of English supremacy.

No sooner had James settled at St. Germain than the question of Ireland's future became a pressing one. The native Irish were loyal to the exiled king in the sense that they had no desire to get rid of James as long as he would help them to gain their ends. From James' point of view Ireland

[1] See a letter to Tyrconnel, dated Oct. 26, 1686, from Sir Richard Nagle, afterwards speaker in the parliament of 1689, in App. to *A Jacobite Narrative*, pp. 193-201.

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must be secured as a stepping-stone to England and Scotland.[1] From the point of view of France, the prolongation of Irish rebellion would prevent England from giving active support to the continental enemies of France. If Ireland could become independent, or possibly subject to France, England would be permanently held in check. This was in reality more important than that James should recover the English crown,[2] which, as things stood, he could hardly do without breaking away from the French alliance. Thus both James and Louis, for divergent reasons, were eager to encourage Tyrconnel's resistance to William.

William, on the other hand, paid comparatively little attention to Ireland. His gaze was fixed first upon England and then upon Scotland, but upon both in their relation to continental politics. Opposition in Ireland was an awkward complication, but hardly a matter of the first importance. Here, as in many other matters, William did not see eye to eye with his English subjects. To them the retention of Ireland was more urgent than any interest outside their own borders. The irregular assemblies which asked him to assume the administration, urged prompt measures with regard to Ireland. William, however, was not yet ready to part with any of his own troops; he could not trust those who had served James, and he was dependent for money upon a hastily raised loan from the city of London. When Clarendon, who had personal grievances against Tyrconnel, besieged St. James's in his eagerness to parade his official experience and his private information, William refused to give him a confidential interview.[3] He preferred to take his policy with regard to Ireland from Sir William Temple, whom every Dutchman regarded with respect and affection. If Temple would have emerged from his retirement, he might have risen to the highest position in the state. But he preferred his books and his garden to ambition, and left his only son to profit by the father's reputation. On the advice of John Temple, who believed that Tyrconnel would consent to a compromise rather than risk everything in an

[1] See a letter from Melfort to James in Macpherson, *Original Papers* (London, 1775), i., 322.

[2] Rousset, *Louvois*, iv., 187.

[3] Clarendon, *Diary*, ii., 238-48. It is noteworthy that Clarendon makes no further reference to Irish affairs in 1689.

armed struggle, William decided to send over Richard Hamilton to offer terms. Hamilton was the brother-in-law of Lady Tyrconnel, and had come to England in command of the Irish troops sent to James in 1688. There is no reason to suppose that he undertook the embassy with any other desire than to secure his return to Ireland. Tyrconnel had merely deceived William by feigning willingness to negotiate. As soon as he had disarmed the southern protestants he threw off all disguise, and Richard Hamilton became one of the officers of his army. John Temple was so chagrined at the complete futility of his advice that he drowned himself in the Thames just after William had given him the office of secretary at war.[1] CHAP. XV.

While William was content to send an envoy, James went to Ireland in person. He took with him five French officers, who were to train his raw Irish levies, and a much-needed supply of arms, ammunition, and money. Avaux, the acute diplomatist who had represented France at the Hague until the recent rupture, accompanied him as at once ambassador and paymaster. Other companions were his son Berwick, and Melfort, now his principal minister. No attempt was made to obstruct the voyage, and James landed safely at Kinsale on March 12, 1689. Two days later he reached Cork, where Tyrconnel came to meet him, and on the 24th he entered Dublin in state. There he dismissed the last protestant judge from his service, and summoned a parliament to meet on May 7. He had apparently good reason for elation. Three provinces, Leinster, Munster, and Connaught, were in the hands of the natives, who had overpowered the scattered minority of settlers. In Ulster the protestants, driven from their lands, had taken refuge in Enniskillen and Londonderry. Neither town was adequately fortified, and it was confidently expected that a vigorous attack would force them to surrender. But there were elements of weakness in James' position which he only gradually perceived. His immediate advisers were divided by personal and by political differences. To James himself and to Melfort Irish resistance to William was a means to an end; to the French and to the Irish it was an end in itself. James could hardly gratify the extreme anti-protestant demands of the native Irish without hopelessly alienating opinion in England

[1] Luttrell, i., 524; Clarendon, ii., 274; Reresby, p. 196; Wood's *Life*, iii., 302,

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and Scotland. Yet he could not refuse them without destroying his hold upon the one kingdom which gave him loyal support. Apart from this dilemma, which ultimately proved fatal to his cause, the Irish troops were ill-armed and ill-disciplined, and the whole country was on the verge of ruin. The civil war was destructive of wealth, and it was fatal to industry and trade. Beyond the supplies furnished by France, James had no revenue whatever. To meet the difficulty he was compelled to make coins of brass, and to order their circulation as if they were of precious metal.

The primary duty of the government in Dublin was to complete the reduction of Ulster before aid came from England. In spite of the advice of Avaux and Tyrconnel, James insisted upon setting out to the siege of Londonderry. Lundy, who commanded the garrison, was in favour of surrender, and went so far as to send away two regiments which came to reinforce the defenders. But the inhabitants were inspired by racial and religious feelings of the strongest kind. They knew that they had nothing to hope from the dominant faction in Ireland, and that their submission would be fatal to the protestant cause. Lundy was removed from his command, and George Walker, a clergyman who inspired the defence, shared the leadership with a soldier called Baker. The summons to surrender was met with defiance. Every effort to storm the town was answered by a vigorous sally of the besieged. In the absence of efficient artillery, it was decided to form a strict blockade and to starve the city into surrender.

Everything now turned upon the action of England, where news from Londonderry was eagerly watched for. The return of the two rejected regiments inspired the belief that the town was doomed, and the sending of further reinforcements was counter-ordered.[1] But on April 28 bolder counsels prevailed. A letter to the commanding officer at Londonderry promised four regiments of foot and a supply of money. The next day Kirke, once the favoured soldier of James and now the mercenary adherent of William, was ordered to equip a relieving expedition at Liverpool with all speed.[2] On May 13 he was reprimanded for delay and ordered to sail with the first fair wind. Haste was urgently needed, as the besieged were reduced to

[1] *Cal. S. P. Dom.*, 1689-90, pp. 74, 77. [2] *Ibid.*, pp. 80, 81.

terrible straits. But even when the ships reached Lough Foyle, Kirke refused for some weeks to risk an attack on the strong boom which the besiegers had constructed across the river, and more imperative orders were needed to urge him to the attempt. At last on July 28 the English vessels sailed up the Foyle, burst through the barrier by sheer weight, and brought relief to the sorely pressed garrison. The blockade once broken, it was useless to press the siege, which was abandoned on the 31st. On the following day came the news that the men of Enniskillen had routed at Newtown Butler a superior force of infantry and cavalry that was advancing against them. CHAP. XV.

James had not waited to see the end of the siege. As soon as it appeared that no early surrender was to be looked for, he had returned to Dublin to open the momentous parliament which met on May 7. The defects of the Irish representative system are strikingly illustrated by a comparison of this assembly with that which had met after the Restoration. There were no tests on either occasion. But while the parliament of 1661 was exclusively protestant, that of 1689 was overwhelmingly Roman catholic. There were practically no protestants in the lower house except the members for Dublin university. This was the work of Tyrconnel, who had so successfully remodelled the corporations that they were entirely in catholic hands.[1] In the counties the protestant landholders had been evicted, and, with the exception of four bishops, none but Roman catholic peers attended. The business of the parliament had been arranged beforehand by a small cabal of which Tyrconnel and Avaux were the principal members; and James found his consent practically pledged to measures many of which he viewed with grave disapproval.

The parliament sat continuously till July 18, and in that time passed no fewer than thirty-five acts.[2] The king's title was formally recognised and the usurpation of William con-

[1] King, *State of the Protestants of Ireland* (London, 1691), pp. 77-82, 151.

[2] All formal records of the parliament of 1689 were ordered to be destroyed by a statute of 1695, so that they are not to be found in the statute book. A pamphlet printed in London in 1689 gives a full list of lords, knights, and burgesses, with the titles of the acts passed. Another (printed for R. Clavel in 1690) gives a list of the persons attainted and the text of the most important statutes. The act of attainder is printed in the appendix to King's *State of the Protestants.*

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demned; a monthly supply was voted for the maintenance of the army; and complete liberty of conscience was granted to all religious sects. These measures were in the highest degree gratifying to James, whose opening speech laid special stress upon his zeal for toleration.[1] He had more scruples about accepting a series of enactments which gave Ireland a large measure of political and judicial independence. Poynings' law was left unrepealed, in deference to James' wishes.[2] But the claim of the English parliament to bind Ireland was repudiated, and there were to be no appeals to the English house of lords. In defiance of the English navigation acts, Ireland asserted its right to direct trade with the colonies.

As regards religion, the foundations of protestant ascendency were to be destroyed. No formal measure of disestablishment was passed, but disendowment would have proved equally efficacious. A statute of Charles II. which authorised the levy of a rate upon houses in towns for the payment of clerical stipends was repealed. Roman catholics were henceforth to pay tithes to their own clergy, and protestants were to pay to theirs. But as the protestant landowners were at the same time evicted, the effect of these measures was to leave the protestant clergy penniless.[3] And the act dealing with tithes contained further provisions of notable significance. The king, the Roman catholic hierarchy, and private patrons of livings were to be allowed to present Roman catholics to vacant benefices, and all statutes which prohibited them from holding ecclesiastical offices were repealed. If time had been given for carrying this into effect, the result would have been the complete restoration of the Roman catholic Church.

But the measures which attracted most attention were the three acts affecting the tenure of Irish land. These were so repugnant to James, so directly opposed to his interests outside Ireland, and so restrictive of his prerogative, that his compulsory approval of them caused him to be regarded as "a cipher rather than king".[4] The two fundamental measures of the Restoration, the acts of settlement and explanation, were

[1] *Life of James II.*, ii., 355.
[2] Macpherson, *Orig. Papers*, p. 339; King, *State of the Protestants*, p. 153.
[3] *Ibid.*, p. 199.
[4] Ailesbury, i., 251. See also King, *State of the Protestants*, p. 37.

repealed. All attainders and outlawries for the rebellion "said to have begun on October 23, 1641," were cancelled. All persons entitled to lands on October 22, 1641, or their heirs, were to be restored to their estates. Even those who had made an exchange for lands in Connaught or Clare were to recover their ancient possessions. No compensation whatever was to be given to the soldiers or adventurers who were the original recipients of the confiscated lands; but *bonâ fide* purchasers of land since the settlement were, by the king's bounty and gracious condescension, to be compensated from the estates of those who since August 1, 1688, had been in rebellion against James. CHAP. XV.

To give effect to this provision, two further acts were passed. The first provided that all absentees from the kingdom who had aided and abetted the Prince of Orange should forfeit their lands, and that these should be vested in the king. The second statute was the famous act of attainder. A long list was drawn up of individuals, including most of the bishops, the Duke of Ormonde, fifteen earls, twenty-two viscounts, twenty barons, and some 2,200 commoners, including yeomen, innkeepers, bricklayers, women, and children. These were divided into four categories. Those in the first, which was by far the largest, were attainted by the act, but were allowed to surrender by August 10, in order to take their trial. The second and third groups, consisting of absentees who had disobeyed the proclamation ordering their return, were to be attainted if they failed to return by a fixed date. The fourth and smallest category contained all those who were absentees by reason of sickness or nonage, and they were given a longer time in which to prove their loyalty. But even in their case their estates were in the meantime to pass to the crown. Thus the forfeiture of all these estates was immediate, and the persons comprised in the list had the burden imposed upon them of returning and proving their innocence. It is asserted,[1] though the evidence is hardly convincing, that the publication of the lists was deliberately postponed in order to prevent the possibility of return by the prescribed date.

It is useless to discuss either the equity or the policy of such a wholesale measure of confiscation as was proposed by

[1] King, *State of Protestants*, p. 159.

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these acts. If it had been carried out, the whole current of Irish history would have been altered. Even as it was, the attempt to overturn the foundations upon which society had rested for nearly forty years provoked reprisals of which the evil results are still unexhausted. And the acts of the parliament were as hasty and ill-drafted as they were revolutionary. The list of attainders was put together without the slightest attempt to collect evidence against the accused. Moreover, the legislation on the land contained an inconsistency which must speedily have become obvious if the statutes had been put into force. Most of the attainted persons held their lands by virtue of the very act of settlement which was repealed. Thus one clause of the act assigned the estates to the heirs of the original possessors, while another clause vested the same estates in the crown in order to compensate honest purchasers. The tacit assumption that Irish land will suffice to satisfy the most diverse claims has vitiated much Irish legislation.

These drastic measures had hardly been passed when events occurred which threatened to make them nugatory. English opinion was profoundly stirred by the danger of the complete loss of Ireland. The parliament at Westminster denounced that in Dublin as "an unlawful and rebellious assembly," and declared all its acts to be null and void. Bitter complaints were made of the inaction of king and ministers. William was of opinion that a direct attack upon France would be more efficacious than active measures against James in Ireland. But he was overruled by the pressure of public opinion, and Schomberg, the most distinguished general in William's service, was commissioned to lead an army to Ulster. Schomberg, now an English duke,[1] was at Hoylake superintending the preparations for embarkation when the welcome news came of Kirke's success in relieving Londonderry. Without relaxing his efforts, the veteran sailed on August 12 and landed at the entrance to Belfast Lough. After storming Carrickfergus on the northern side of the bay, he set out southwards on what was expected to be a triumphal march to Dublin. By September 7 he had reached Dundalk. Meanwhile James and Tyrconnel had collected nearly 20,000 men at Drogheda.

[1] He received his patent, by special favour, without payment of fees, *Cal. S. P. Dom.*, 1689-90, p. 102.

A speedy and decisive engagement seemed inevitable, and it was naturally anticipated that Schomberg, as the invader, would be the first to attack. His officers were eager for battle and confident of victory over "a tattered, cowardly, beaten Irish army".[1] It is quite possible that they were right, and that the war might have been brought to an earlier end by a bold stroke. But Schomberg, accustomed to the precision of continental warfare, would run no risks. He distrusted his troops, who were largely composed of untrained recruits. The supplies were inadequate both in quantity and in quality, and Schomberg's letters are full of denunciations of the scoundrelism of contractors.[2] He refused to risk his army against one which consisted of at least double the number and was better nourished.[3] This decision, at first voluntary, was in the end necessitated by the outbreak of disease which decimated his troops. Only the strength of his entrenchments and his great military reputation prevented the now jubilant enemy from making an attack. The campaign ended uneventfully. After the disasters of the summer, it was no small advantage to James to retain unshaken hold upon Connaught, Leinster, and Munster, and still to keep some garrisons in Ulster. CHAP. XV.

During the winter strenuous preparations were made on both sides for the next campaign. The forces in the European struggle had proved fairly evenly balanced in 1689. Charles of Lorraine, who had earned a brilliant reputation in the Turkish war, succeeded in driving the French from the Palatinate. An English contingent of 8,000 men was sent under Marlborough to join the Prince of Waldeck, who commanded the allied army in the Netherlands. The battle of Walcourt, in which the French marshal Humières was beaten on August 25, was in large measure won by the genius of Marlborough. Waldeck himself wrote to William that he never expected the English to show such a love of battle, and that Marlborough was one of the most gallant men he knew.[4] But though the coalition had no reason to be ashamed of the campaign of 1689, it was obvious that more decisive successes must be gained if the war

[1] See an outspoken letter from Lord Lismore to Shrewsbury, *Cal. S. P. Dom.*, 1689-90, p. 272.

[2] *Ibid.*, *passim*, and Dalrymple, ii., App. ii., pp. 23-78.

[3] *Cal. S. P. Dom.*, 1689-90, p. 287. [4] *Ibid.*, p. 230.

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was to be brought to a triumphant close. To secure this the running sore in Ireland must be healed. William realised that he had made an error in sending an inadequate force with Schomberg. Troops were raised which would bring the army in Ireland to nearly 40,000 men, and William announced that he would take the command in person. The news that their champion was about to quit England produced something like a panic among the whigs. Lord Delamere wrote that "out of sight, out of mind is an English proverb that is applicable to kings as other men; for absence has lost many kings their crowns".[1] Regardless of such warnings, William made all his preparations to start as soon as the session of parliament came to an end.

On the other side, the onus of preparation rested upon Louis XIV. James and Tyrconnel had raised in the previous year as many men as they could support. Nor could they hope to draw over malcontents from England or Scotland, and such men would be more useful in their own countries. Thus the only balance to the expected English reinforcements must be supplied from France. And French interests in Ireland were as strong as those of England. Every argument which impelled William to bring the Irish struggle to an end equally impelled Louis to prolong it. But persistent habit made the French king give more attention to the war on the continent than elsewhere. While he collected troops for the Netherlands and induced Luxemburg, his ablest surviving general, to return to active service, all that he did for Ireland was to send over 6,000 French soldiers in exchange for an equal number of Irishmen, who were to be made efficient under French training. And he minimised the value of this exchange by entrusting the command of the French auxiliaries to Lauzun, a vapouring braggart of little military experience, who had gained the favour of Mary of Modena by escorting her on her flight from London.

But it was open to France to give James more efficient assistance than could have been done by a more lavish supply of soldiers. Hitherto neither England nor France had made much use of their naval power. Herbert, the English admiral, had in the spring of 1689 made an abortive attack upon

[1] *Cal. S. P. Dom.*, 1689-90, p. 381.

a French squadron which was landing stores in Bantry Bay. But with that exception, no attempt had been made to obstruct the transport of arms and troops to Ireland. Yet, as events proved, France was strong enough at sea to make it impossible, or at any rate extremely dangerous, for William and his army to quit England. French ships carried Lauzun and his soldiers to Ireland and brought back the Irish in their place without meeting with any opposition. Encouraged by the inaction of their opponents, the French set to work to equip a large fleet under the Count of Tourville, one of the bravest of French admirals. In June Tourville set sail for the English Channel. Herbert, who had been raised to the peerage as Lord Torrington, disgraced his previous reputation by allowing naval discipline to be shamefully relaxed. So unprepared was he that he would gladly have evaded an action, but imperative orders from London compelled him to fight. In the battle, which was fought on June 30 off Beachy Head, the French won the most complete victory yet recorded in naval annals.[1] The Dutch redeemed the defeat by obstinate courage in the action, but the English navy was for once hopelessly discredited. Tourville was as completely master of the Channel as ever Tromp or de Ruyter had been in the great days of the Dutch navy.[2]

But this brilliant victory, which might have altered the fate of Ireland, was won a month too late. William and his fleet of transports, which Tourville could easily have sent to the bottom, had crossed in safety to Carrickfergus, where the troops were landed on June 14. Schomberg had already taken Charlemont, the last place in Ulster which held out for James. Collecting all the troops from Londonderry and Enniskillen, William lost no time in advancing along the coast to Leinster. His army amounted in all to about 36,000 men, and ample supplies were furnished by the transports which kept in touch with him. Meanwhile James and Lauzun, who had been appointed commander-in-chief, drew up their army on the southern bank of the Boyne. William reached the northern bank on June 30, and in a preliminary reconnaissance was wounded in the arm by a cannon ball. The report spread through Europe that he was killed, and there was great exultation in the court

[1] So says Mahan, *Influence of Sea Power in History*, p. 184.

[2] See Caermarthen's letters in *Cal. S. P. Dom.*, 1690-91, pp. 52, 64.

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of France. But the wound was only superficial, and did not prevent William from leading his troops in person on the following day. Although the Irish and French forces were inferior both in number and in quality, they held a strong position, and it was an enterprise of no small difficulty to cross a ford in face of the enemy. Schomberg thought the risk too great, but William was resolute to waste no more time in Ireland, and decided to attack the enemy.

The results of the battle of the Boyne, fought on the memorable 1st of July, have exalted it in English and Irish tradition to the rank of a great victory. Its military importance, however, is very slight. Little generalship was displayed upon either side, and the battle was decided by hard and confused fighting. Schomberg was killed, and so was Dr. Walker, the defender of Londonderry, but the bloodshed was not proportionate to the importance of the issue. If the French troops had defended the ford, William's task would have been far harder. But they had been detached early in the day to resist the English right wing, which had forced a bridge higher up the river and threatened the Irish flank. The Irish infantry, left unsupported, proved untrustworthy, and their flight decided the action. The courage of the cavalry and of the French troops secured the retreat of the beaten army without disastrous losses. James, who showed little of the bravery which had once won the approval of Turenne, fled to Dublin and thence to Waterford. There he took ship to Kinsale, whence a French frigate carried him to Brest.

Events proved that James' despair was premature. The only prize of the victors at the Boyne was the province of Leinster. Lauzun and Tyrconnel refused to defend Dublin, which contained a large and now exultant protestant element, and William entered the capital on July 6. The south-eastern counties offered no resistance, and Waterford surrendered on the 24th. But, in spite of these losses, the Irish catholics still held practically the whole of Connaught and Munster, and they had four defensible harbours at Cork, Kinsale, Limerick, and Galway, through which assistance might come from France. And the Irish position was indirectly strengthened by a panic in England. England had been denuded of troops in the confident belief that it was safely defended by the fleet. But the fleet

had been utterly routed off Beachy Head and was now sheltered but impotent in the Thames. A French army under Humières was not far from Dunkirk, and it would have been easy for Tourville to escort it to the English shores. Marlborough, who commanded in William's absence, had barely 9,000 troops at his disposal.[1] James, on his return to France, urged the immediate invasion of England. But Louis, disappointed by the news from Ireland and confident of success in Flanders, where Luxemburg had defeated Waldeck at Fleurus, refused to take advantage of the opportunity offered to him. Tourville contented himself with burning Teignmouth, an act which did more harm than good to the Jacobite cause. By the end of August the French fleet had returned to Brest, and England had passed safely through one of the most dangerous crises in its national history. CHAP. XV.

William could not be unaffected by the alarming reports from England. He weakened his forces in Ireland by sending home three regiments of horse and two of infantry, and after taking Waterford he decided to go back himself. But when more reassuring news arrived, he postponed his departure till he could bring the Irish campaign to an end by the capture of Limerick. Lauzun and Tyrconnel had retreated from Dublin to the valley of the Shannon. On the news of William's approach, they held that Limerick was indefensible, and led the French troops to Galway, whence a few weeks later they carried them back to France. But the native Irish, inspired by Patrick Sarsfield, the hero of the final struggle, displayed more courage in adversity than they had done when the prospect of success was brighter. Their resistance was aided by the autumn rains, which impeded the movements of the English and spread disease in their ranks. A successful raid, in which Sarsfield surprised a convoy and captured William's siege guns, enormously weakened the attack. On the failure of an attempt to carry the walls by storm, William raised the siege on August 30. The troops retired to Tipperary, where William handed over the command to Solms and hastened back to England.

For the second year in succession the Irish had staved

[1] Mary, in her *Memoirs* (ed. Doebner, 1886), p. 30, says not more than 5,000 or 6,000.

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off that crushing blow which was needed to end the war. But their elation at the saving of Limerick was sorely diminished by a wholly unexpected reverse. Marlborough, who had shown a natural disinclination to come to direct blows with James, and who must have had some scruples about attacking his brother-in-law, Tyrconnel, offered in August to lead an expedition against Cork and Kinsale. The plan was vigorously opposed in the English council, especially by Caermarthen, but was approved by William. It was carried out with that happy mixture of audacity and prudence which characterised most of Marlborough's enterprises. Cork was forced to surrender on September 28, and Kinsale capitulated little more than a fortnight later.[1] Thus two of the most convenient openings for communication with France were closed.

The primary aim of the English in the campaign of 1691, was to gain possession of Galway and Limerick. William had not yet appointed a lord-lieutenant in Ireland. He had destined that office for Schomberg,[2] but the veteran's death had prevented the appointment. In place of a single viceroy he entrusted the civil government to lords justices, while Ginkel, who took the place of Solms, held an independent military command. On the other side Tyrconnel had returned from France to Limerick with the title of lord-lieutenant from James and with a promise of renewed assistance from Louis XIV. To his chagrin, the French fleet in May brought two French generals, St. Ruth and D'Usson, and St. Ruth produced a commission from James to act as commander-in-chief. The constant friction which ensued between James' viceroy and the general boded ill for the success of the campaign.[3]

Ginkel collected his forces in Mullingar and commenced his advance in May. The first serious obstacle which confronted him was the town of Athlone, where the Shannon divides Leinster from Connaught. The bridge over the river was obstinately and successfully defended, and the arrival of St. Ruth from Limerick seemed for a moment to render the attack hopeless. But by crossing a ford Ginkel succeeded in

[1] A full account of this expedition is given by Lord Wolseley, *Life of Marlborough*, ii., chaps. 60-67.

[2] *Cal. S. P. Dom.*, 1689-90, p. 257.

[3] Charles O'Kelly, *Macariæ Excidium* (Dublin, 1850), pp. 115, 118; *Cal. S. P. Dom.*, 1690-91, p. 390.

taking the enemy by surprise, and Athlone was captured on July 10. Tyrconnel, whom the French blamed for the disaster, retired sullenly to Limerick. St. Ruth, left in undisputed command, determined to cover Galway by fortifying a strong position at Aghrim. Against this second obstacle Ginkel advanced on July 12. The struggle was even more obstinate than before Athlone, and the losses on both sides were heavy. St. Ruth was killed by a cannon shot, and his troops were finally driven from their entrenchments in a disastrous rout. The battle decided the fate of Galway, which capitulated on the 22nd. CHAP. XV.

The last hope of the Irish was in Limerick, still proud of its successful resistance to the usurper in the previous year. But the conditions were now wholly changed. Ginkel had the necessary cannon of which William had been deprived; the rains had not yet commenced; and the defenders were dispirited by the death of Tyrconnel on August 12,[1] the very day on which the siege began. Ginkel displayed the same energy and resource which he had shown at Athlone and Aghrim. The capture of the bridge over the Shannon brought the besiegers to the walls of the city, and D'Usson and Sarsfield both agreed that successful resistance was impossible.[2] The military capitulation was easy to arrange, and it was agreed that those Irish soldiers who wished to enter the French service should be transported to France. It was more difficult to settle the articles of a civil treaty, and hostilities were suspended until the arrival of the lords justices. By the treaty of Limerick, as ultimately arranged, the Irish Roman catholics were to exercise their religion as in the reign of Charles II. A parliament was to be summoned as soon as possible, and endeavours made to obtain for them such further security as would preserve them from disturbance on account of their religion. No further oath was to be extracted from Roman catholics who submitted than the oath of allegiance. All persons within Limerick and other garrison towns at the time of the capitulation, and all officers and soldiers in the counties

[1] The author of *A Jacobite Narrative* (ed. J. T. Gilbert, Dublin, 1892), p. 175, says that Tyrconnel would never have surrendered Limerick "because he expected to retrieve the country by spinning out the war".

[2] *Macariæ Excidium*, p. 155.

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of Limerick, Clare, Kerry, Cork, and Mayo, were to be restored to their estates as in the time of Charles II. All such persons were to receive a full amnesty, and were not to be molested by lawsuits for acts committed during the war.[1]

It is obvious that this treaty went far beyond the capitulation of a beleaguered town. It was the surrender, not only of Limerick itself, but of whole counties which had not yet been conquered. And the commanders in Limerick claimed to make terms for the whole Roman catholic population of Ireland. The explanation must be sought in the eagerness of Ginkel, and of William whom he represented, to bring the Irish war to an end.[2] Limerick was hard pressed, but its power of resistance was not yet exhausted. And even if Limerick had been taken, it would have been possible for the Irish to continue a guerilla, for which both the country and the people were not ill-suited. Such a war, which Tyrconnel is said to have contemplated, would have prevented England from employing its full forces on the continent, and might at any moment have been rendered formidable by the arrival of help from France. In fact, barely a fortnight after the treaty was signed, eighteen French men-of-war arrived in the Shannon, and their return without doing more than carry off some of the Irish troops excited great resentment in France.[3] These considerations explain why Ginkel allowed the transport of Irish soldiers to enter the service of France, and why the Irish Roman catholics obtained more substantial concessions than would have been given to combatants who were no longer dangerous.[4] But the greater the necessity for making terms on the English side, the stronger was the moral obligation to adhere to them with strict fidelity.

The surrender of Limerick ended the civil war in Ireland and ushered in a prolonged period of internal peace. It would have been well for Ireland, and for England too, if that peace had induced the conquerors, not merely to observe the letter of their engagements, but to show generosity towards the

[1] The civil and military articles are printed in full in appendix xvi. to *A Jacobite Narrative*, pp. 293-308.

[2] *Cal. S. P. Dom.*, 1690-91, pp. 393-96; Burnet, iv., 139.

[3] *A Jacobite Narrative*, p. 190; Luttrell, ii., 305.

[4] See *A Jacobite Narrative*, p. 176, for an acute though partial criticism of the treaty.

conquered. There were strong arguments for lenity. It was monstrous to treat the Irish as rebels.[1] James had neither deserted nor abdicated the Irish throne. On the contrary, he had been driven by the Revolution to pay his first visit to Ireland, and had been more truly *de facto* king of Ireland during the past two years than in any other period of his reign. And an English statute, as had been recalled to men's memories by recent discussions, expressly justified obedience to a *de facto* king.[2] But the prolonged contest had provoked bitter feelings on both sides of the Channel, and the victors could neither forget nor forgive the wholesale measure of expropriation which had been carried in the Irish parliament of 1689. CHAP. XV.

It was the English parliament which set the example of intolerance. No sooner had the news arrived of the close of the war than a statute was adopted at Westminster which imposed upon all Irish office-holders, members of parliament, and others the oaths of allegiance and supremacy together with the declaration against transubstantiation. The result was that from the parliament which met at Dublin in October, 1692, Roman catholics, for the first time in Irish history, were legally excluded. No patriotic protests were made against English dictation to Ireland, and the members took the prescribed tests. A bill to recognise William and Mary was carried through all its readings in a single day. But an Irish parliament, however devoted to protestant and English interests, was rarely a docile assembly. A bill for confirming the acts of settlement and explanation was found to be so lenient in its provisions that it was rejected on the ground that "instead of confirming it would have unsettled the greatest part of the estates of this kingdom". But the chief difficulty arose about finance. In accordance with Poynings' law two money bills were transmitted from the English privy council. The Irish commons claimed the right of deciding both the amount and the method of raising the proposed grant, and ordered both bills to lie on the table. In the end they passed an excise bill in the suggested form, but vindicated their independence by proposing a poll tax in place of a duty upon corn. This was resented by the government, and Viscount Sidney, who was then lord-lieutenant, prorogued the assembly

[1] See *A Jacobite Narrative*, p. 183. [2] See vol. v., 62-3.

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on October 30 on the ground that "they had not answered the ends for which they had been brought together, but had behaved themselves undutifully and ungratefully in invading their Majesties' prerogative".[1]

In the next parliament in 1695 no similar difficulty arose to prevent legislation against Roman catholics. The attainders and other acts of the pretended parliament of 1689 were annulled, and all records of its proceedings were ordered to be destroyed. No popish teachers were allowed in schools or in private houses. No children might be sent beyond sea to be educated as papists. The penalty for such an offence was forfeiture of goods and lands, of which half was to go to the informer. Papists were forbidden to have arms, or to keep a horse worth more than five pounds, and a protestant could take such a horse on tendering five guineas. In 1697 the laws were made still more severe. All Roman catholic prelates and regular clergy were banished from the kingdom, and severe penalties were decreed against those who harboured them. This was a distinct breach of the treaty of Limerick. The marriage of protestants to papists was strictly forbidden. The persons comprised in the treaty of Limerick were secured in their estates as against the king, but not against private suitors; nor were they allowed to claim property of which they had been deprived between the beginning of the civil war and the date of the treaty. Finally an act was passed to confiscate the property of rebels, other than those protected by the treaty. This confiscation applied, not only to living persons, and to those actually in the service of France, but also to all who had fallen on the Irish side in the war. But an extremely invidious distinction was drawn. Protestant heirs might succeed to the estates of popish rebels, while Roman catholic heirs were excluded. The English parliament stepped in to claim the disposal of the booty. A statute of 1699 vested the confiscated lands in trustees who were to sell them by 1702. The proceeds, after paying off arrears of pay and other charges, were to go to the English exchequer.

The legislation of 1697 was the foundation upon which the penal code against the Roman catholics was built up by

[1] *An Account of the Sessions of Parliament in Ireland*, 1692 (London, 1693); *Cal. S. P. Dom.*, 1691-92, pp. 492, 494, 497, 504; Burnet, iv., 208.

subsequent enactments under Anne and the first two Georges. The code was not remarkable for its severity. Roman catholics were quite as badly treated in England, and protestants had been more severely persecuted in France and in Bohemia. But the Irish laws are pre-eminent in the annals of religious persecution, partly because they were enacted by a minority of the people against a large numerical majority, and partly because they seemed deliberately designed to degrade and irritate rather than to convert the sufferers. Their motive was greed rather than religious zeal. They encouraged the infamous trade of the informer, and they weakened the natural ties of kindred by stimulating the basest impulses to break them. The regulation that if a protestant heiress married a papist, her property should pass to the protestant next of kin, is illustrative of the whole spirit of these laws.

The last Irish parliament of the reign met in 1698. It confirmed the acts of settlement and explanation, and put an end to all further uncertainty as to tenure by enacting that no holder of land under these acts could henceforth be sued by a Roman catholic claimant. This completed that protestant domination in Ireland, which the Revolution placed upon firm foundations. It would have been more tolerable if it had brought to Ireland the boon of material prosperity. This, however, the Revolution settlement refused It gave increased power in England to the classes interested in industry and trade, and they were as jealous as ever of Irish competition. The prohibition of the export of cattle under Charles II. had driven a large portion of the population to the growth and manufacture of wool. On the express ground that this was prejudicial to English interests, the parliament at Westminster passed an act in 1699 prohibiting the export of Irish wool or woollen goods to any country except England and Wales. As the duty on such goods in England was too high to allow a remunerative trade, this was practically a total prohibition of exportation.[1] The act was defended on the ground that Ireland was well fitted to produce hemp and flax and to manufacture linen, and that a statute had been made three years earlier to

[1] See *The Substance of the Arguments for and against the Bill for prohibiting the exportation of woollen manufacture from Ireland to foreign parts* (London, 1698).

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encourage the making of linen in Ireland. But such arbitrary dictation of one country's industry by another is seldom disinterested. The linen manufacture was mainly confined to the protestant north, and proved no equivalent to the native Irish for the woollen industry which was so ruinously restricted. And the blow was the more severe because it came just when Ireland was sorely pressed to recover from the terrible havoc of the revolutionary war.

CHAPTER XVI.

THE JOINT REIGN OF WILLIAM AND MARY.

FOR the first seven years of his reign William's attention was pre-eminently directed to the war against France. Of the Grand Alliance, formed in 1689 and strengthened by the adhesion of Savoy in the following year, he was the acknowledged head. The war was on a large scale. It was waged in Western Germany, where it had begun; in the Netherlands, which became the principal scene of operations after the open rupture between Louis and the United Provinces; on the borders of Italy; and on the Pyrenean frontier of Spain. Spain was so feebly governed and so hard pressed to defend its own frontier that it could not repel the attack upon its outlying provinces. While it looked to Savoy to cover Milan, it looked to the confederate states, and especially to Holland and England, to defend the Netherlands. William was eager to undertake this task in person. But he could not go until the danger of losing Ireland was removed, and even then his attention was constantly distracted by parliamentary opposition, by Jacobite conspiracies, and by the difficulty of finding loyal and efficient ministers. The growing authority and independence of parliament are illustrated by the fact that William never allowed it to meet when he was absent from England.

In studying the domestic history of the period, it is important to remember that party differences had within the last ten years assumed a substantial character. The tories were the adherents of the established Church, the champions of the landed gentry, the opponents of a standing army, and of continental wars which compelled the employment of such an army. Their tradition was all in favour of an alliance with the monarchy, but they found it difficult to give the same loyalty to a non-

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hereditary king which they had displayed to the Stewart rulers so long as they were good churchmen. Thus the tory party included politicians of many shades of principle. On the right wing were such men as Clarendon and the non-jurors. They had refused the oath of allegiance, and had thus avowed their desire to see James restored. But they differed among themselves as to the amount of active support which they would give to a restoration and as to the conditions upon which they desired it to be effected. Other groups included those, like Ailesbury, who had taken the oath with unconcealed contempt, and to whom it meant nothing more than a promise to submit until they had the power and opportunity to rebel; a number of men who had accepted the new government from a love of order and quiet, who would give it no service, but would do nothing to bring about its overthrow; and, finally, a comparatively few honest politicians, of whom Nottingham was a type, who had openly disapproved of the origin of the government, and still refused to admit its conformity to law and right, but held themselves bound by their pledge of obedience.

The whigs, on the other hand, were the opponents alike of Roman catholicism and of the exclusive and oppressive pretensions of the Anglican Church. Their most prominent leaders, such as Devonshire, Shrewsbury, Delamere, and others, belonged to the aristocracy, but the strength of the party lay in the mercantile and industrial classes, and above all in the protestant dissenters. Their economic principles were strongly protectionist. They desired to depress rival interests and to extend markets by colonisation, by trading companies, and by advantageous treaties. They had no objection to a vigorous foreign policy, and they were the resolute enemies of France. They were pledged to support William as their deliverer from the tyranny under which they had groaned since the Oxford parliament of 1681. But even gratitude could not prevail against their rooted antipathy to anything that savoured of absolute power. They wished to strengthen William's hands, but not to strengthen prerogative. And their desire to support William was weakened, when they saw him entrusting office to men whom they had long hated and denounced. William could not count upon whig loyalty unless he was willing to pay the price which the whigs demanded. And the party

contained not a few turbulent spirits, such as Ferguson, who were so familiar with conspiracy that they found submission dull, and who were ready, at the first moment of disappointment or vexation, to plot against the government which they had helped to establish.

Although parties were sufficiently defined and hostile to make co-operation between them difficult and almost impossible, they had none of the internal unity and organisation which developed at a far later date. Ministers neither possessed nor claimed a right to control the procedure of either house. Even supply was a matter on which the initiative was left to individual members. The commons, extremely jealous of the presence of place-holders, would have bitterly resented any attempt to dictate either the amount which was to be granted or the method by which it should be levied. There were, of course, indirect methods by which the course of business was influenced, and there was always one minister in each house who acted as a mouth-piece of the government. But there was no normal majority upon which ministers could reckon. Nor was there any pressure of public opinion to take the place of ministerial guidance. Proceedings were secret, and their publication could be punished as a breach of privilege. Hence the bonds of party, though fairly strong as regards matters of grave importance, were hardly felt in much of the business of parliament. These considerations, together with a habit of political inconsistency which seems to grow up naturally in a period of frequent revolution, make it extremely difficult at times to discover the motives which guided the action of politicians. And they also serve to explain the growth of corruption into something like a system. It was almost the only way in which a sufficient measure of stability could be secured.

Some ingenuity has been spent by contemporaries and by later writers in discussing who was "prime minister" at different periods in William's reign. There never was a prime minister in the modern sense, and if William had lived continuously in England, there would never have been one in the sense in which the term was then understood. William intended to be, not only his own foreign minister, but his own prime minister. And this could only be done by keeping himself independent of party, by employing men from both sides,

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by hearing the most opposite opinions, and by reserving the ultimate decision to himself. Circumstances, and especially his frequent absences from England, prevented him from consistently maintaining this ideal, but he never willingly abandoned it.

William's first rupture with the whigs was due to their eagerness for revenge. In their eyes the tory leaders were stained with the blood of Russell and Sidney. To condone their offences by letting them keep place and power, was to give the lie to William's own declarations, and to admit the unreality of those grievances, which had been the avowed pretext for his coming to England. If the tories were not criminals, William was not a deliverer but merely a self-seeking adventurer. William resented this dilemma, which was pressed from opposite motives by both parties, but refused to be influenced by it. He was convinced that the support of the tories was necessary for the security of the throne, and Mary, who had been brought up in the Church of England, shared this conviction. When the convention parliament, with its whig majority, proposed to exclude from municipal government all who had been concerned in the surrender of the town charters, it was dissolved at the beginning of 1690, and a new parliament was summoned to meet on March 20. Halifax, who had been assailed with especial bitterness, resigned the privy seal. Thus William finally lost the services of the most acute political intellect in the kingdom. Other ministerial changes followed. A new commission of the treasury was appointed, with Sir John Lowther at its head, and Delamere and Monmouth lost their seats at the board. The general result of the changes was to deprive the whigs of the numerical preponderance they had hitherto possessed, and the removal of Halifax made Caermarthen the most influential member of the cabinet council.

In leaning to the tory side William was following the trend of public opinion, which had been alienated by the vengeful tactics of the whigs.[1] In the new house of commons the majority consisted of "moderate-principled churchmen".[2] The immediate result was greater harmony between the parliament

[1] Burnet, iv., p. 70.

[2] *History of William III.* (London, 1702), ii., 174.

and the court. Sir John Trevor was unanimously chosen speaker. The hereditary revenue, which had been given to Charles II. and James, was voted to William and Mary for their joint lives and that of the survivor. Tunnage and poundage, on the other hand, were only granted for four years. The whigs, driven by the coldness of the court to play the part of an opposition, made adroit efforts to discredit the tories as a disloyal party. They denounced the oath of allegiance as a wholly inadequate pledge of submission, and proposed to demand from office-holders and others a formal abjuration of James and his son. This would have placed many honest tories in a difficult dilemma, but William gave it to be understood that he did not desire the imposition of any new test, and the bill was defeated. To put an end to the long disputes about the indemnity, a formal act of grace was introduced on the king's initiative, and was carried through both houses. It contained only a few exceptions, notably that of Sunderland, and even in their case punishment was only to be inflicted after legal proceedings, which were not likely to be instituted unless new provocation were given. CHAP. XVI.

The session ended on May 20 in view of William's approaching departure to Ireland. An act had been passed authorising Mary to carry on the administration during her husband's absence. But before he started two serious difficulties arose. The arrest of Jacobite agents proved the existence of a widespread plot against the government, and among the plotters was Clarendon. It was a serious addition to Mary's difficulties to have to conduct an intricate inquiry, and perhaps to take measures against her mother's brother. The second difficulty was more unexpected. The Earl of Shrewsbury was the principal secretary of state, and had been specially commended to Mary as an adviser whom she could trust.[1] But Shrewsbury had been alienated by the promotion of tories to office and by the increasing predominance of Caermarthen. The influence of his mother, the abandoned woman who had been Buckingham's mistress, induced him to lend his ear to insidious advances from the court of St. Germain. To the astonishment and annoyance of William he resigned the seals. William could not wait to make a new appointment,

[1] *Memoirs of Mary*, p. 28.

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and Nottingham had to be left as sole secretary of state. Shrewsbury's motives were a much-debated mystery. Mary, who had no clue to the secret intrigues, put it down to jealousy of Caermarthen. James, who knew more, declared that the earl "laid down his employment by my orders".[1]

It was with profound misgivings that Mary took the reins of government during William's first period of absence. She was able to remove one small grievance by taking up her residence in Whitehall. But her difficulties were great. She had no confidence in any of the nine councillors who had been nominated as her advisers. They consisted of five tories and four whigs, and were divided by personal jealousies as well as by party differences.[2] Caermarthen, who had been recommended as her most trustworthy guide, was personally distasteful to her in spite of her obligations to him. Marlborough, who commanded the troops, was identified with her sister, with whom her relations were cold. The treasury was empty, the country was dangerously denuded of troops, and yet it was threatened by foreign invasion and domestic conspiracy.[3] There was a moment of actual panic when the allies were defeated at Fleurus, and when Tourville routed the English and Dutch fleets off Beachy Head. Behind these actual and pressing dangers was the haunting fear that her father and her husband might meet in armed conflict on the soil of Ireland. But Mary confronted all these difficulties with a placid courage which gained for her the esteem and affection of her subjects. The hopes of the Jacobites were dashed to the ground when Clarendon and other influential leaders were committed to the Tower.[4] Luxemburg gained little actual profit by his victory, and the fear of invasion disappeared as the French failed to make any adequate use of their maritime supremacy. Best of all, from Mary's point of view, was the news that William had gained a decisive victory at the Boyne, and that James had escaped unhurt from the battlefield. It was with feelings of profound relief as well as of justifiable pride that she welcomed William at Hampton Court on September 10, and received his approval of her conduct of affairs.

[1] *Memoirs of Mary*, p. 28; Macpherson, *Original Papers*, i., 435; see Burnet, iv., 80.

[2] *Cal. S. P. Dom.*, 1690, p. 66.

[3] *Memoirs of Mary*, pp. 29, 30.

[4] Clarendon, *Diary*, ii., 319-21; Dalrymple, ii., App. ii., p. 119.

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William's stay in England was a brief one. He had failed to bring the war in Ireland to an end. But he had reduced the struggle to smaller dimensions, and when Cork and Kinsale were taken by Marlborough, there could be little doubt as to the ultimate result. William was now anxious to go to the Hague, where a conference of the allied powers was to discuss future operations. But before he could meet the confederates he must be assured of the willingness of England to help the common cause. For this purpose he summoned parliament to a second session on October 2. Nothing had yet occurred to disturb the harmony of the previous session, and the perils of the summer had for the moment subordinated party rancour to patriotism. Thanks were voted to the king for his achievements in Ireland, and to the queen for her administration at home. It was agreed that an army of nearly 70,000 men should be raised, and sums amounting to over £4,000,000 were granted for the maintenance of the navy, and for the prosecution of war in Ireland and on the continent. As the resources of taxation were strained to raise such a huge total within the year, the commons proposed to confiscate the estates of Irish rebels. This was to divide the bear's skin before killing him, and it also disregarded the royal claim to a share in such forfeitures. The bill was dropped in the house of lords. Some friction was also caused about the appointment of a court-martial to try Lord Torrington,[1] but the admiral's acquittal silenced the clamour which would certainly have been raised that he was sacrificed to appease the Dutch. These, however, were small matters compared with the readiness of the two houses to gratify the king's demands for money and men. In William's closing speech on January 5, 1691, he not only expressed genuine gratitude for loyal support, but volunteered an assurance that he would not dispose of any forfeited lands in England or Ireland without consulting parliament.

Two ministerial changes were made during the session. In November a new commission of the treasury was appointed, with Godolphin at its head. In December it became necessary to appoint a second secretary of state, as the king wished to take Nottingham with him to the Hague. To the general surprise, the vacant office was given to Lord Sidney, almost

[1] For its proceedings see *Portland MSS.*, viii., 29-32.

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the only Englishman for whom William felt genuine affection, but reputed to be fonder of pleasure than of business. As had been the case before, the king's approaching absence encouraged the Jacobites to renew their plots. Lord Preston, who had been secretary during the last two months of James' reign, was the leading spirit of the conspiracy. At a meeting in London a programme was drawn up for the guidance of the exiled court. It was recognised that French aid was necessary, but that France should be careful to act merely as an auxiliary. As soon as the restoration was effected, the French troops were to be withdrawn. As the great majority of Englishmen were protestants, James must be careful to rule as a protestant king, though he might retain his own religion.[1] These counsels, which were not likely to please either James or Louis, together with letters from Clarendon and others, were entrusted to Preston himself and to Ashton, a former secretary of Mary of Modena, for transmission to St. Germain. But the captain of the ship betrayed the intended journey to Caermarthen, and the two envoys, with the incriminating documents, were seized on December 31.

For the second time William left the task of inquiry to Mary and her council, while he himself set out for Holland on January 18, 1691. Detained by fog off the Dutch coast and impatient of delay, he embarked in an open boat and narrowly escaped a fatal disaster. His reception by his fellow-countrymen, who had not seen him since his momentous departure in 1688, was so cordial as to provoke a contrast with the chilly attitude of his English subjects. Equally encouraging was the respectful greeting of the assembled representatives of the allied powers. But William's gratification, which was shared to the full by his wife, was suddenly checked by an unforeseen disaster. While the confederates were discussing the details of subsidies and of military operations, the news came that Louis XIV. himself had laid siege to the great fortress of Mons. The congress was broken up, and William hurried to the relief of Mons with all the troops which he could collect. But it was impossible to convey news to the garrison, and the citizens, ignorant of the approach of a relieving force, insisted upon a capitulation. Chagrined at witnessing the surrender of

[1] Klopp, v., 222-24; *Life of James II.*, ii., 441-42.

a famous fortress under his very eyes, William quitted the army and hurried back to England, where he arrived on April 13. CHAP. XVI.

During his absence Mary had found her council as divided and unsatisfactory as before. Sidney was the only member who seemed to her neither peevish nor silly.[1] Godolphin pleaded pressure of business at the treasury as an excuse for absence, and threatened another resignation.[2] Marlborough, as usual, was at loggerheads with Caermarthen.[3] Both he and Godolphin were so uncertain of the future that they were engaged in secret negotiations with James to ensure their pardon in the event of his recovery of the crown.[4] The chief concerns of the administration were the preparation for the Irish campaign and the trial of the imprisoned Jacobites. Both Preston and Ashton were convicted and sentenced to death. Ashton was executed, but Preston's fate was postponed in the hope of using him as a witness against his confederates.[5] William arrived in time to hear the confession which had with difficulty been extorted from Preston, and to exert his influence in favour of mercy. Of the accomplices whom Preston incriminated, Penn and the Bishop of Ely were never arrested. Dartmouth was committed to the Tower, where he died a few weeks later. Clarendon remained in the Tower until November, when he was released upon bail, and this was discharged in the following January.[6] Preston himself was pardoned and set at liberty in June, 1691. In August he was again arrested, but was subsequently bailed and allowed to spend the rest of his life in retirement.[7]

The chief public business to which William attended during his brief visit to England was the filling up of the vacant sees. The archbishopric of Canterbury was conferred upon John Tillotson. William Sherlock, hitherto one of the most active of the non-jurors, accepted the deanery of St. Paul's, which became vacant by Tillotson's promotion. Although great care was taken in making the new appointments, and although Sherlock's defection was a blow to the malcontents, it was impossible to effect such a sweeping change in the hierarchy without

[1] *Memoirs of Mary*, p. 36. [2] *Cal. S. P. Dom.*, 1690-91, pp. 258, 295.
[3] *Ibid.*, p. 262; Dalrymple, App. ii., p. 222.
[4] *Life of James II.*, ii., 444-50. [5] *Cal. S. P. Dom.*, 1690-91, pp. 228, 244.
[6] Luttrell, ii., 305, 343. [7] *Ibid.*, pp. 244, 271.

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exciting serious ill-feeling. The High Church party became more estranged from the government, and they received a valuable recruit in Bishop Compton, who could not conceal his vexation at the disregard of his own claims to the primacy.[1] As the extreme churchmen gained the countenance of the Princess Anne, her relations with her sister and brother-in-law became more and more strained.

Striking evidence was supplied in the course of 1691 of the divergent estimates formed by contemporaries of the stability of the revolution settlement in England. On the one hand, William gained the adhesion of two of the men who had been most deeply involved in the unpopular transactions of the late reign. Sunderland, who had published in 1689 an obviously untruthful vindication of his relations with James, ventured in 1691 to quit his asylum in Holland and to come over to England. He was admitted on April 26 to kiss the king's hand, and two days later he took the oaths and subscribed the declaration against transubstantiation. Rumour went so far, even at this early date, as to assign a secretaryship of state to the returned exile.[2] Later in the year Lord Dover, another member of James' Roman catholic cabal, also returned home and made his peace with the king.[3] On the other hand, William's lenity to the Jacobites, so unfamiliar to a generation which had been accustomed to harsh punishments for treason, seems to have been interpreted in some quarters as a sign of weakness. Jacobite agents did not scruple to visit men of the highest political reputation without fear of either rebuff or betrayal. Marlborough and Godolphin continued their relations with St. Germain, though the former employed his patroness to solicit a garter from William,[4] and the latter sought and obtained a remunerative post for his son.[5] Anne was induced by Marlborough to seek a reconciliation with her father.[6] Halifax, still the bitter enemy of Caermarthen, allowed hopes to be entertained that he would welcome a restoration. A more open malcontent was Edward Russell, who complained

[1] *Memoirs of Mary*, p. 39. Compton had been previously disappointed in 1677, see *Hatton Corr.*, i., 156; Campana de Cavelli, i., 207.

[2] *Cal. S. P. Dom.*, 1690-91, p. 350; Luttrell, ii., 216.

[3] Luttrell, ii., 305; Evelyn, Nov. 7, 1691.

[4] *Cal. S. P. Dom.*, 1690-91, p. 468. [5] *Ibid.*, p. 377; Luttrell, ii., 251.

[6] Macpherson, *Orig. Papers*, i., 241-42.

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to William that he and his relatives were passed over while places and rewards were given to men who had opposed the revolution. In another letter he denounced Caermarthen as his professed enemy.[1] But the recipient of these querulous epistles can hardly have suspected that discontent might be translated into action and that the commander of his fleet was actually discussing plans for his betrayal.

Meanwhile William had sailed on May 2 to take part in one of the most futile campaigns of the war. The two armies marched and counter-marched according to the most approved rules of warfare, but neither could take the other at a sufficient disadvantage to justify an engagement. It was not till William had departed that Luxemburg attacked the rear of the allied forces and inflicted some damage among them. But, quite apart from the capture of Mons, the advantage of the campaign rested with the French, who had succeeded in maintaining their forces for a whole campaign at the cost of the invaded country. At sea also nothing of importance took place. Russell loudly professed his desire to meet the French, but he allowed St. Ruth with a convoy of supplies to reach Ireland. Ministers began to indulge in gloomy forebodings of parliamentary disappointment. Lavish supplies had been voted, more ships and soldiers had been collected than had been known for a quarter of a century, and the result was infinitesimally small. Caermarthen wrote to William that there would be complaints of the expense of the war, and urged a descent upon France, "as a little thing done upon France itself will please better than a great one done in Flanders".[2] Godolphin also anticipated uneasiness in parliament.[3] The whigs laid especial stress upon the risk of financial opposition, in the hope that they might induce the court to consent to a dissolution.[4]

When parliament met on October 22 it was extremely fortunate for William that Ginkel's victory in Ireland made the commons more willing to condone the want of tangible success elsewhere. A good deal of time was wasted and William had more than once to press the urgency of supply, not because there was organised opposition to his demands,

[1] *Cal. S. P. Dom.*, 1690-91, pp. 367, 440. [2] *Ibid.*, p. 465.
[3] *Ibid.*, p. 377.
[4] *Ibid.*, p. 465; Mary's letters to William in Dalrymple, ii., App., part ii.

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but because the two houses differed over a bill to improve trials for treason, and because there were prolonged debates in the lower house on a proposal to found a new East India company. It was agreed, without any exceptional grumbling, that the army should be kept up to 65,000 men, and that three and a half millions should be granted for its maintenance and that of the navy. A bill to give to the judges security of tenure and a fixed salary was vetoed by the king, because the salaries were made a charge on his hereditary revenue.

Before the long session closed on February 24, 1692, it was discovered that Marlborough was meditating an insidious proposal that all foreigners should be removed from the royal service. Such an appeal to national prejudice would have been very difficult to resist. Fortunately the Jacobites were neither unanimous nor trustful of each other. They suspected Marlborough of a design to raise the Princess Anne to the throne and to make himself all-powerful as her adviser. The scheme was betrayed to Portland and was perforce abandoned.[1] But it had important consequences. William and Mary already distrusted Marlborough's influence over Anne, and Mary entertained a rooted dislike of Lady Marlborough. On January 25 the earl was suddenly dismissed from all his offices and forbidden to attend the court. Anne was informed, "in all the kind and gentle ways that could be thought on," that she must not retain in her service the wife of a man who had incurred the royal displeasure.[2] The obstinate princess not only refused to dismiss her favourite but actually carried her with her to Kensington. This provoked an open quarrel between the two sisters. Anne, in high dudgeon, quitted her apartments in Whitehall, and retired with her husband to Sion House. The feud was never healed until Mary was on her death-bed, and Marlborough's services were lost for the remainder of the war.

In spite of Marlborough's disgrace, William continued to employ a majority of tory ministers. Caermarthen retained his ascendency in the cabinet.[3] Rochester and Seymour were

[1] Macpherson, *Orig. Papers*, i., 440

[2] *Memoirs of Mary*, p. 45.

[3] James frequently calls Caermarthen "first minister," Macpherson, *O. P.*, i., 410, 459. Russell also calls him "first minister of State," *Cal. S. P. Dom.*, 1690-91, p. 440.

both admitted to the council and commended to Mary's confidence. Sidney resigned the seals to go to Ireland as lord-lieutenant, and Nottingham became once more sole secretary of state. But William was not yet converted to the principle of party administration. John Somers, the eloquent advocate of the seven bishops, was promoted to be attorney-general, and a lordship of the treasury was given to Charles Montagu, a cadet of the house of Manchester, who had distinguished himself in the debates on the treason bill.

After settling these appointments, William set out for the continent on March 4. His plans embraced a descent on the French coast, but the enemy was beforehand with him. James had long been urging Louis to give him sufficient forces for an invasion of England. In January, 1692, he renewed his solicitations on the ground that the majority of the English people were longing for his return. The nonconformists, so he said, were entirely for him, because William had disobliged them by excluding them from office. Three-fourths of the churchmen had refused the oaths. Everybody was weary of the war and disgusted with the burden of taxation.[1] These exaggerations were doubtless allowed for at Versailles, but more importance was attached to James' relations with Russell. Although circumstances were obviously less favourable now that Ireland had submitted, Louis at last agreed that Tourville should undertake the task of clearing the Channel while James was transported with a French army. An elaborate manifesto was drawn up offering a general pardon, with the exception of certain specified individuals. Among the excepted persons were Caermarthen, Sunderland, Marlborough (whose name was inserted at his own request), Nottingham, Archbishop Tillotson, Burnet, and the poor fishermen who had offered indignity to the king at Faversham.[2] The names of Halifax, Shrewsbury, Godolphin, and Russell were conspicuous by their absence. Armed with this precious document, James set out for the coast of Normandy in the middle of April.

He was never allowed to put his sanguine estimate of English opinion to the test. A contrary wind detained Tourville on the Norman coast for four weeks, and the same wind,

[1] Macpherson, *Orig. Papers*, i., 399, 409, 410.
[2] *Life of James II.*, ii., 479-86.

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enabled the English and Dutch fleets to effect a junction. When Tourville set sail, he had to face immensely superior numbers, and would hardly have risked an engagement but that he had gone so far in the mist that it was too late to draw back. He gained nothing from the supposed devotion of the English navy to its former admiral. Russell, who had disapproved of James' manifesto, and whose professional pride was aroused by the prospect of an encounter with the French, fought as if he had been the most loyal of William's subjects. The French, after an obstinate contest, were compelled to retreat by sheer weight of numbers. The lighter vessels made their escape through the dangerous Race of Alderney, but twelve first-rates, which had taken refuge at La Hogue, were burned by the English boats under Sir George Rooke.[1] James watched from the shore this final overthrow of his hopes. His return to St. Germain was followed by the birth of a daughter to Mary of Modena, an event which silenced some at any rate of the calumnious reports with regard to the birth of the Prince of Wales.

The battle of La Hogue, fought on May 19, 1692, not only put an end to the projected invasion of England, but proved to be the last great naval encounter of the war. It is one of the land-marks in the rise of British naval supremacy. But contemporaries were more profoundly impressed by the failure of Russell to follow up his success. On June 14 Caermarthen urged upon the king that a failure to attack some French port would be "an unpardonable crime".[2] Meinhard Schomberg, now Duke of Leinster, and Ruvigny, now Lord Galway, took command of the troops which were collected at Portsmouth. On July 27 they were embarked on transports and proceeded to join Russell and his fleet off St. Helens in the Isle of Wight. For some reason the admiral thought ill of the expedition, and the personal intervention of Caermarthen and other ministers was needed to bring about a tardy start on August 20. The troops were landed at Ostend and marched to attack Dunkirk. But on closer observation the fortifications were deemed too strong for an assault, and after a futile bombardment from the sea, the expedition returned

[1] See an article on the battle of La Hogue in *Quarterly Review*, April, 1893.
[2] *Cal. S. P. Dom.*, 1691-92, p. 326.

without effecting anything.[1] Mary was bitterly disappointed that "all the expense was thrown away and we were made ridiculous by our great preparations to no purpose".[2]

Meanwhile William had been engaged in a far more eventful campaign than that of the previous year. The dilatoriness of a coalition allowed the French to take the field first. By May 16 Namur, at the junction of the Sambre and the Meuse, was closely invested. Again William advanced too late to raise the siege, and again he witnessed a rather ignominious surrender. Luxemburg, afraid that a strenuous effort might be made to recover Namur, feigned to threaten Brussels. William followed him across the Senne, and found the French occupying a very strong position at Steenkerke. He endeavoured to surprise them on August 3 by compelling a captured spy to transmit false information. The ruse was nearly successful: but unfortunately a preliminary cannonade of four hours gave the French time to arrange their forces, and the attack was ultimately repulsed.[3] Mackay, who led the English vanguard, was killed, and his troops were the chief sufferers in the battle. In Marlborough's absence Solms commanded the British contingent, and there was a loud outcry that a foreign general had allowed the lives of Englishmen to be needlessly sacrificed by his refusal to send reinforcements. William, however, conducted a masterly retreat, and had really inflicted almost as much loss as he had suffered. The French celebrated their victory, but made no attempt to profit by it. Their retirement into winter quarters enabled William to return to England, where he arrived at Kensington on October 20.

In purely domestic affairs the summer of 1692 was uneventful. On May 3, when the alarm of a French invasion was at its height, a certain Robert Young came forward with a story that an association to restore James had been formed by Marlborough, Sprat, Bishop of Rochester, and others. Marlborough was at once imprisoned. But the ingenuity of the Bishop of Rochester was speedily able to convince the council that Young had forged the incriminating document. Marlborough was released upon bail, but his failure to regain

[1] *Cal. S. P. Dom.*, 1691-92, pp. 388-468 *passim*.
[2] *Memoirs of Mary*, p. 54.
[3] *Cal. S. P. Dom.*, 1691-92, p. 391.

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the confidence of William and Mary is proved by the removal from the privy council not only of his own name, but also of those of Halifax and Shrewsbury, who had been his sureties.

Ministers had for some time indulged in gloomy anticipations of the discontent of parliament. It was admitted that anything might have been asked immediately after the battle of La Hogue; but it was a very different matter now that the army had suffered heavily at Steenkerke, and that Russell's victory had been followed by no proportionate damage to France. Parliament had also to be informed that the whole of the revenue had been expended, that the poll tax had fallen short of the estimate by £740,000, and that future grants had been heavily anticipated.[1] The interest in the war was subsiding now that Ireland was pacified, and the conviction was spreading that France would never be brought to submission by campaigns in Flanders.[2] The session, which lasted from November 4, 1692, to March 14, 1693, was more stormy than any of its predecessors. Malcontent whigs and malcontent tories vied with each other in advocating bills and resolutions which were designed to censure and obstruct the administration. But William faced the grumblers with as much coolness as he had displayed in the face of a hostile army abroad, and was rewarded with a substantial victory. Nothing came of the attacks upon the employment of foreign officers to command English troops, or of the prolonged debates upon naval miscarriages in which Nottingham and Russell laid the blame on each other's shoulders. The commons adopted a bill to exclude all future office-holders from their house, but government influence procured its rejection in the lords by the narrow margin of three votes. To show their zeal for reform, the whig peers proposed to fix a limit to the present parliament, and to make future parliaments triennial. In spite of the natural outcry that the peers were interfering in matters which did not concern them, the commons accepted the bill. William, however, braved the displeasure of parliament by exercising his right of veto.

William was doubtless encouraged in resisting what he

[1] Godolphin to the King, *Cal. S. P. Dom.*, 1691-92, pp. 405, 427; also p. 411.

[2] Caermarthen to the King, *ibid.*, p. 443. For a Jacobite estimate of parliamentary discontent, see Macpherson, i., 438.

regarded as an inopportune measure of reform by his success in the all-important question of supply. The opposition did not venture to risk popular censure by openly obstructing the continuance of the war, and the large sums needed to meet both the deficit and current expenditure were voted by parliament. In devising ways and means, two measures were adopted which mark an epoch in the history of English finance. The new assessment ordered for a land tax of four shillings in the pound became the final basis of this tax, which was converted into a permanent and redeemable charge in 1798. More momentous was the expedient adopted for raising the last million which the government demanded. On the proposal of Montagu, the subscribers to a loan of this amount were to receive life annuities at the rate first of 10 and later of 7 per cent., the interest being secured on additional excise duties. This arrangement is the origin of that colossal national debt which has puzzled so many generations of financial critics. That it has been of service to the state is unquestionable. It has provided a useful standard of credit, it has supplied that elasticity of resources without which great wars could hardly have been waged, and it contributed at more than one crisis to the stability of government and of the social structure. On the other hand, the ease of borrowing has been a chronic temptation to ambitious administrations, and, though the growing burden has been cheerfully borne in times of rapidly expanding prosperity, it may be found oppressive when the conditions of trade and industry have changed. Future generations may have cause to regret that more attention was not paid to what have usually been regarded as the ludicrously ill-judged warnings of eighteenth century economists.

The balance of parties in parliament was still reflected in the administration. The king refused to part with Nottingham, in spite of the attacks made upon him in the commons, but the second secretaryship, which had been vacant since Sidney went to Ireland, was now conferred upon Sir John Trenchard, who had been an active supporter of the exclusion bill. Another whig, Sir John Somers, was promoted from attorney-general to be lord keeper. On the other hand, the retention of Nottingham made it impossible to keep the services of Russell; and the naval command was divided between Killigrew,

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Delaval, and Shovell. Shovell was a sailor rather than a politician, but his two colleagues were bigoted tories and suspected of an inclination to Jacobitism.[1]

The only domestic danger which William had any reason to fear after the prorogation of parliament was that the Jacobites might resume those schemes of rebellion which had been foiled in the previous year by the battle of La Hogue. Disappointment had taught a lesson to the court of St. Germain. Early in 1693, the Earl of Middleton, a leader of the moderate Jacobites, had made his way across the Channel and had been appointed by James joint secretary with Melfort. Middleton carried with him the views of the majority of English Jacobites, who had been both dismayed and disgusted by the stupid manifesto of 1692. They insisted that James must promise security to the established Church, that he must maintain the test act, leave his dispensing power to be determined by a future parliament, and support the act of settlement in Ireland. Some of them went so far as to suggest that he should abdicate in favour of his son, and allow the latter to be brought up as a protestant. To a king who had lost his crown rather than make concessions to heretics, such counsels were in the highest degree distasteful. The idea of abdication was unhesitatingly rejected, and James' priestly advisers questioned his right to protect a religion which he believed to be erroneous. But the exiled king was not his own master. Louis XIV. was far more anxious that William should be hampered by an English revolt than that the Roman catholic faith should be restored. James was not obscurely warned that France would not give him any support unless he was willing to make concessions. On April 17 a declaration drawn up by Middleton was signed by James,[2] and copies were speedily circulated in England. The only result, however, was to intensify Jacobite divisions. The "non-compounders," as the extremists were called, denounced as disloyal those who imposed humiliating conditions on their king, while the Irish declared that their services were rewarded with treacherous ingratitude. The majority of Englishmen contrasted the declaration with its predecessors, and expressed their mistrust of promises extorted from an unwilling king.

[1] For their negotiations with St. Germain, see Ailesbury, i., 312, 334, 341.

[2] *Life of James II.*, ii., 502-5.

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Relieved from anxiety about English affairs, William could apply his whole attention to the war. But the campaign of 1693 proved even more disastrous than its predecessor. In spite of the growing exhaustion of France, Louis exerted all his despotic power to make great exertions in every quarter in which hostilities were waged. De Lorges in the Palatinate captured Heidelberg. Beyond the Pyrenees, Noailles took the fortress of Rosas, which brought him within striking distance of Barcelona. In Italy, Catinat forced the allied forces of Austria and Savoy to raise the siege of Pinerolo, and later defeated them in the pitched battle of Marsaglia. But it was in the Netherlands that France made the most formidable preparations. Two considerable armies were assembled under Luxemburg and Boufflers, and Louis set out in person to join them. William, rarely well served with information as to the enemy's plans, occupied a camp near Louvain in order to dispute the advance of his rival. For a time it seemed that the two protagonists in the European drama were about to meet on the field of battle.

Before any decisive action had taken place in the Low Countries, England received news of a disaster which excited general alarm and distress. During the winter nearly 400 merchant ships, mostly destined for Smyrna and other ports in the Levant, had assembled in English and Dutch ports. The first problem of the new admirals was to provide for their safety. The command of the actual escort was entrusted to Rooke, but, in order to guard against an attack by Tourville and the main French fleet, it was arranged that the admirals themselves, with the combined navies of England and Holland, should accompany him till he was safely past the entrance to Brest. Treachery or incompetence rendered this precaution valueless. Although it was circumstantially reported in London on June 1 that Tourville had sailed with seventy ships and was about to be joined by D'Estrées and the Toulon squadron,[1] no attempt was made to ascertain the truth of the statement by reconnoitring Brest harbour. The result was that Rooke, having parted company with the admirals, found himself off the Spanish coast face to face with Tourville and an overwhelming force. The English men-of-war escaped

[1] Luttrell, iii., 108.

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capture or destruction by a hasty flight to Madeira, but the convoy was hopelessly scattered and a large proportion of the ships were either taken by the enemy or were wrecked in their efforts to escape. The loss to London was prodigious, and it says much for the loyalty of the citizens that their dissatisfaction did not vent itself in attacks upon the government.

Meanwhile, Louis had disgusted his troops by quitting the Netherlands without striking a blow, and had further weakened Luxemburg by sending Boufflers with a considerable force to the Palatinate. The hostile armies were now less unequally matched. But a stratagem on the part of Luxemburg restored to the French their numerical superiority. A feigned attack upon Liège induced William to detach some 20,000 men to defend the threatened city. The result was that he found himself in his camp at Landen confronted by an army which outnumbered his own by more than a third. His position, however, was a strong one, and he made it still stronger by hastily constructing earth-works during the night. Luxemburg's attack upon this position resulted on July 19 in the bloodiest battle of the war. Twice the French carried the neighbouring village of Neerwinden, and twice they were repulsed. The third attack was finally successful. But the French had suffered enormous losses, the retreat of the allies was successfully covered, and William, with the return of his troops from Liège, was soon as formidable as he had been before his defeat. The only substantial advantage gained by the French at the end of the campaign was the capture of Charleroi, and even this was counterbalanced by the loss of the Palatinate, where De Lorges was completely outmanœuvred by Lewis of Baden.

Although affairs were by no means so black as they appeared on the surface, William was profoundly depressed when he landed at Harwich on October 30. For the first time he met his wife with a chilling disapproval of her conduct during his absence.[1] His anger was specially directed against the naval administration. The admirals had done nothing to make amends for their failure to protect the Smyrna fleet. When they were ordered to repair the disaster by going to meet Tourville, they excused their inaction by complaining of

[1] *Memoirs of Mary*, p. 59.

inadequate supplies. Ultimately they put into Torbay on the ground that they were already on half-allowance of beer, and, if they missed the victuallers, they would "inevitably perish for want of drink".[1] William expressed his emphatic disapproval of this excessive regard for creature comforts. On November 6, the day before parliament met, Killigrew and Delaval were dismissed, and the command was once more entrusted to Russell. This necessitated the removal of Nottingham from the principal secretaryship of state, which he had held for the last four years. Mary, who had no love for the whigs, was distressed by the loss of Nottingham, and still more when William, following the advice of Sunderland,[2] began to weed out tory ministers and to put members of the opposite party in their place. The vacant seals were offered to Shrewsbury, whose complicity in Jacobite intrigues kept him from accepting them till nearly the end of the session. That the king was still reluctant to form a purely party administration, is proved by his return to a composite cabinet as soon as the pressure of the war was removed. But for the time he could not be blind to the danger of divided counsels, and he admitted in 1694 that the cabinet was "composed better than formerly, and persons who could at least draw together in business".[3]

If it was necessary for William to show special favour to one party, there were two good reasons why he should prefer the whigs to the tories. As regards their conduct in opposition, there was little or nothing to choose between them. If the one party advocated triennial parliaments, the other was just as eager to exclude place-men from the house of commons. On the other hand, the tories were beginning to demand that the expensive war should be brought to an end, whereas the whigs were willing to continue the struggle; and the whigs were, on the whole, the stronger parliamentary party, in unity and organisation if not in actual numbers. Thus their support was better worth the heavy price which had to be paid for it, while their rivals could not be bought for less. It is signi-

[1] *Cal. S. P. Dom.*, 1693, pp. 268, 275.

[2] The accepted tradition that the formation of a whig ministry was due to Sunderland's advice rests mainly upon the authority of Burnet (iii., 216), but it fits in with what we learn elsewhere as to his growing influence at court, and also with his advice to James II. to have a united council.

[3] *Cal. S. P. Dom.*, 1694-95, p. 192.

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ficant that, in spite of the disasters of 1693, the session which followed the dismissal of Nottingham was more peaceable, if also more prolonged, than that of the previous winter. The trieunial bill, which was at once revived in the commons, was actually defeated on the third reading through the abstention of its former supporters. The only serious storm was provoked by William himself, who, in the middle of the session, vetoed a place bill, although the lords had amended it by substituting the requirement of re-election in place of absolute exclusion. The commons protested with some acrimony against the rejection of bills which had passed both houses, by "the secret advices of particular persons who have private interests of their own".[1] William gave a polite but evasive reply, and the house accepted the rebuff without any further show of resentment. Large grants were obtained for both army and navy, and Montagu added to his financial reputation by carrying a bill to form the subscribers of £1,200,000 into a banking corporation. The establishment of what became the Bank of England, the suggestion of which was made by William Paterson, was opposed by the tories on the grounds that such an institution was more suited to a republic than to a monarchy, and that the terms of the loan would be disastrous to borrowers upon landed security. Their opposition was defeated, but they were so far justified in their partisan attitude that the Bank proved for at least two generations a sturdy bulwark of whig ascendency.

The only success of the tories was the cutting down of the additional 30,000 men demanded for the army to 20,000. But this increase was in itself considerable, and if the allies carried out their promises to put larger forces into the field, William was fairly assured of numerical preponderance over the French. That William regarded the parliamentary session as on the whole satisfactory, is proved by his continuance of the policy which he had adopted at its commencement. Shrewsbury's tardy acceptance of the secretaryship was rewarded with a dukedom and a garter. On April 26, the day after the prorogation of parliament, the ministry was made almost wholly whig by the appointment of Russell to be first lord of the admiralty, and of Montagu to be chancellor of the exchequer. The only tories left in the cabinet were Caermarthen, who

[1] *Cal. S. P. Dom.*, 1694-95, p. 82.

retained the presidency of the council, and Godolphin, who was still first lord of the treasury. At the same time the king rewarded both old and new supporters by lavish grants of titles. Caermarthen was made Duke of Leeds, the Earls of Devonshire and Bedford were elevated to dukedoms, and Mulgrave became Marquis of Normanby.[1] A week later William gave a conspicuous proof of his loyalty to early friendships. Henry Sidney had been an ornamental secretary of state, he had resigned that office to become an unsuccessful lord-lieutenant, and he had recently returned from Ireland to be a still more futile master of ordnance. For these services he was rewarded on May 8 with the earldom of Romney. CHAP. XVI.

The prolongation of the session till late in April, and bad weather at its close, caused unusual delay in William's departure for the continent. Nothing was done before his arrival, and even afterwards the campaign proved uneventful. On more than one occasion the two armies were face to face with each other, but neither would risk a pitched battle. The French, under the command of the dauphin and Luxemburg, were for the first time inferior in numbers, and were further hampered by scantiness of pay and provisions. Their leaders considered themselves lucky in ending the campaign without substantial loss. William defended his cautious inactivity on the ground that his troops required time to recover from the shattering effects of the defeat at Landen. He had also the more substantial argument that France was less able than the allies to bear the burden of a prolonged war.

Meanwhile the naval campaign of 1694 was of exceptional importance, and Russell, though he had never abandoned his treasonable communications with St. Germain, was once more the principal agent in dealing a fatal blow to French and Jacobite interests. The year had opened with a serious disaster. A second Turkey fleet, which had sailed under the escort of Sir Francis Wheler, was dispersed and ruined by a storm before entering the Mediterranean. To remove the depression caused by this misfortune, the admiralty planned an attack upon Brest, which had been evacuated by Tourville and his squadron. It was originally intended that Russell should take command of the enterprise. But in May William received intelligence that

[1] *Cal. S. P. Dom.*, 1694-95, pp. 116, 121, 125.

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Tourville had gone to the Mediterranean and that the combined Brest and Toulon fleets were to co-operate with the land forces under Noailles in Catalonia. The situation was a critical one. Barcelona could hardly hold out against a joint assault from land and sea; and if Barcelona fell, Spain might be forced to make a separate peace with France. Such a peace would not only ruin the immediate aims of the Grand Alliance, but might also lead to a fatal settlement of the Spanish succession. To transport an army to Catalonia was impossible. But a bold move might restore to England that controlling power in the Mediterranean which it had lost by the abandonment of Tangier. Russell received imperative orders to lead the combined English and Dutch fleets through the Straits of Gibraltar.

Unfortunately the enterprise against Brest was not abandoned. On his way south Russell detached a number of ships to carry Talmash and the troops who were to take the town. The scheme had been basely betrayed by Marlborough to James,[1] who had promptly sent on the intelligence to the French government. But Marlborough was not the only traitor, nor was his dastardly act the only cause of the catastrophe which followed. As early as February Godolphin had told Montgomery that Russell would attack Brest, and for weeks beforehand the plan had been town talk in London. Thus France had had ample warning. Vauban was commissioned to strengthen the fortifications, and a plentiful supply of men and guns was sent for their defence. A naval reconnaissance on June 5 disclosed the existence of unsuspected batteries, but Talmash doggedly insisted upon landing his troops. The inevitable result followed. A murderous fire from the French guns decimated the troops and compelled a hasty and costly retreat.[2] Talmash himself received a mortal wound, and his death deprived England of the one soldier whose reputation rivalled that of Marlborough.

Russell's voyage touched larger issues and was more for-

[1] Macpherson, *Original Papers*, i., 487; *Life of James II.*, ii., 521. This charge against Marlborough, and the authenticity of the *Nairne Papers*, from which Macpherson took his extracts, have been questioned by Lieutenant-Colonel the Hon. Arthur Parnell in *Engl. Hist. Review*, xii., 254 (April, 1897), but his arguments are hardly convincing. See also an article by Colonel Lloyd, *ibid.*, ix., 130.

[2] *Portland MSS.*, viii., 41-42.

tunate in its results. He arrived just in time. Noailles was preparing to lay siege to Barcelona, which was already blockaded by the French fleet. But Tourville refused to risk a battle with the victor of La Hogue. On the first news that the allied fleet was passing the Straits, he withdrew his ships to safety under the guns of Toulon. Russell vainly cruised about the Gulf of Lyons in the hope of enticing the enemy into the open. But, in spite of his natural disappointment at losing the chance of a glorious victory, he had already achieved the ends for which he had been sent. The naval supremacy of France in the Mediterranean, uncontested for the last decade, was completely shattered. The Spanish coast towns and the important island of Minorca, which had been at Tourville's mercy, were completely safe. Noailles' campaign, on which Louis had built such confident hopes, ended in failure. A small incident of this year may serve to illustrate the revived confidence of English sailors. Shovell reported to Trenchard that he had promptly fired upon and riddled a Danish man-of-war for refusing to strike his flag in the Downs, "a place which has always been esteemed (in this respect) as it were their Majesties' bedchamber".[1] The Danish government swallowed the affront and made a humble apology. But Russell had to pay what he regarded as a heavy penalty for his success in restoring the maritime supremacy of his country. William was so much impressed with the results of the fleet's presence in the Mediterranean, that he determined to keep it at Cadiz during the winter. Russell declared that he would sooner die than have to provide the fleet with necessaries for another twelve months, and that he would not for £50,000 live on board for seven months without going ashore.[2] The English ministers were obviously reluctant to coerce their imperious colleague, and nothing but William's stern determination could have secured the carrying out of his novel and unpopular order. Russell blustered but obeyed.[3]

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The year 1694 brought home to Europe the full results of the English Revolution. For the first time since Louis XIV. began to govern, the balance of advantage at the end of a cam-

[1] *Cal. S. P. Dom.*, 1694-95, p. 295. [2] *Ibid.*, pp. 292, 313.

[3] See Coxe, *Shrewsbury Correspondence*, pp. 63-76; Corbett, *England in the Mediterranean*, ii., chap. 27.

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paign' was decidedly adverse to France. William was fully justified in opening parliament on November 12 with a bold and confident speech. The houses responded by renewing the grant of tunnage and poundage for five years, and by imposing duties calculated to bring in five millions for the carrying on of the war. The session passed over without any breach of harmony between crown and parliament. The whigs, already gratified by a practical monopoly of office, were further conciliated by the acceptance of their favourite measure of reform. The triennial bill, which had been vetoed in the penultimate, and defeated in the last session, was reintroduced, and received William's assent on December 22. In return for this concession, the place bill, which William had rejected in the previous session, was now defeated on the third reading in the commons. The last weeks of the session, which lasted till May 3, 1695, were mainly devoted to a strenuous inquiry into alleged cases of corruption. To the great delight of the whigs, several of the leading tories were found to be involved in discreditable or doubtful transactions. The Duke of Leeds was accused of fraudulent dealings with the East India Company. For the second time in his life his impeachment was decreed by the house of commons. He made a spirited and plausible defence, and ultimately the charge broke down through the disappearance of an essential witness. But his character was indelibly besmirched, and, though he retained his office, he never recovered any real power.

It was fortunate for William that the chief business of the session had been transacted in its early weeks. On the day on which he ratified the triennial act he knew that Mary was seriously ill. Her disease proved to be small-pox, and on December 28, 1694, she died. Those who only knew William by his cold and forbidding exterior, and even those who were more familiar with his domestic life, were astonished by the passionate grief which he displayed. Some of his emotion may well have been due to a sense of remorse that he had treated his wife with neglect and ingratitude, and that he had never shown a due appreciation of her virtues and her self-denying devotion to his interests. Days and even weeks elapsed before he could once more give his whole attention to the pressing business of the state.

CHAPTER XVII.

THE PEACE OF RYSWICK.

WILLIAM'S prostration with grief at his wife's death was so prolonged as to excite the misgivings of his friends. For never, since his accession, was there greater need of his keen insight and his firm and rapid decision. Mary's death was a real as well as a sentimental loss. Her English birth and attractive manners had made her popular, and she had been an invaluable link between William and the more moderate wing of the tory party. The breaking of that link weakened the monarchy. Even Nottingham's loyalty could no longer be trusted. The Jacobites were once more hopeful of achieving the expulsion of an unpopular king. Some of the bolder spirits preferred assassination as a speedier and surer way of attaining their end. Such a scheme had been planned in 1692 by a foreign adventurer, Grandval, whose published confession proved that he had at least the tacit sanction of James.[1] As long as Mary lived, William's removal might have been an inadequate measure, but her death gave the Jacobites a much better chance of profiting by a vacancy in the throne.

William might have avoided some difficulties if he could have established friendly relations with his sister-in-law, who was now by the Bill of Rights his legal successor. Anne had been reconciled with her sister before the latter's death, and in 1695 she returned to court. If William could have carried this reconciliation beyond mere formal politeness, if he had admitted Anne to the council, and left her some share in the administration during his absence, the tory churchmen would have been conciliated, and the hopes of the Jacobites sensibly diminished. But the princess was still the tool of Marlborough and his wife. William had refused in the previous

[1] See *Memoirs of Mary*, p. 54.

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year to readmit Marlborough to military employment, although it had been strongly urged by Shrewsbury after the death of Talmash.[1] To give any share in the government to Anne, was to entrust a dangerous measure of political knowledge and influence to her adviser. This William would not do. When he returned to the continent in May, he committed the routine administration to seven lords justices, of whom Shrewsbury was the most important. The omission of the Duke of Leeds left Godolphin the only tory on the list. And the justices had none of the independence which had naturally belonged to Mary. All matters of importance were referred to the king, and action was postponed till his will was known.[2] Thus William had to bear the burden of domestic administration, as well as of foreign affairs and the conduct of the war. And, in defiance of what was already constitutional usage, he took with him no minister to share his responsibility.

William might have been reassured by two considerations. In the camp, surrounded by soldiers who loved him, he was comparatively safe from assassination. And the would-be rebels at home who depended upon foreign assistance, were not likely to get much help from France. Throughout the summer of 1695 Russell's fleet scoured the Western Mediterranean without meeting the enemy. As long as the French ships were shut up in Toulon, it was impossible for France to collect any considerable naval force in the Channel. On land France was hard pressed. The aggressive campaign in Catalonia was abandoned. In Northern Italy Casale, one of the most notable acquisitions of Louis XIV., surrendered with suspicious readiness to the Duke of Savoy. William was so pleased with the results of naval intervention in the Mediterranean that he decided to keep the fleet at Cadiz for another winter. Russell was allowed to return on the plea of ill-health, and Rooke was sent to take his place.

Unable to make any impression in the southern areas of the war, the French concentrated their main forces in the Netherlands. Unfortunately for them Luxemburg had died during the winter, and Villeroy, a better courtier than a general, was appointed to the command. Leaving Vaudemont to watch Villeroy, William led his best troops to besiege Namur, whose

[1] *Shrewsbury Corr.*, p. 47. [2] Burnet, iii., 263.

loss in 1692 had caused him more chagrin than any other mischance. Careful as he had been to disguise his plans, he was too late to prevent Boufflers from throwing himself with 12,000 men into the threatened fortress. Its fortifications had been regarded as superlatively strong when it was taken by the French, and they had since been strengthened by Vauban. Villeroy was confident that the garrison would hold out with ease, and that a few acts of aggression on his part would compel William to abandon a hopeless enterprise. But even a feigned attack on Brussels could not draw William from his prey, and Villeroy was at last compelled to march to the relief of Boufflers. A great battle seemed imminent, when at the last moment Villeroy refused to attack the strong position which the allies had occupied. His retirement without striking a blow decided the fate of Namur. For the first time, it was said, in history, a French marshal surrendered a fortress which he had undertaken to defend. William's success immensely raised both his own reputation and that of the English troops, who had shown conspicuous bravery in the siege operations. CHAP. XVII.

The fall of Namur caused great rejoicing in England, and William seized the favourable moment to dissolve the parliament and to issue writs for a new election. As had been anticipated, the whig supporters of the war gained a considerable majority, and the position of the whig ministers was proportionately strengthened. The death of Halifax in the previous April had removed from the house of lords one of the most hostile critics of the government. In his later years, as between 1680 and 1685, he had become the ally of the tory party. On November 22, William opened the session with a stirring speech, in which he adroitly emphasised the services of England to the common cause, and appealed for a continuance of exertions which, after the last campaign, held out a good promise of success. Five millions were voted, as in the last session, for the continuance of the war. In spite of the enormous strain on the resources of the country, ministers were emboldened to raise the thorny question of currency reform. Since the reign of Elizabeth there had been no deliberate debasement as under the earlier Tudors. But the hammered coins had been clipped and defaced by fraudulent possessors until their actual value often fell to a half of their face value. To put an end to these

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practices, the expedient had been adopted of issuing coins with milled edges. But the better money had been hoarded, or melted down, or exported to foreign countries, and only the debased coins were in ordinary circulation. The evil results were obvious. Taxes brought in far less than their nominal amount. Internal trade was hampered by the uncertain value of the circulating medium. No bargain or contract could be relied upon unless there was some assurance as to the weight and quality, as well as the number, of the coins in which payment was to be made. In foreign trade the balance on all transactions was disastrously adverse to England. It was impossible to purchase necessaries for the troops abroad, or to transmit subsidies to allies, without ruinous loss on the exchange.

The debates on the currency question were long and complicated. But Montagu, guided by the advice of Locke, succeeded in inducing parliament to accept two fundamental principles. There was to be no change in the established standard of weight and quality of metal; and the loss resulting from the issue of new for old coins was to be borne, not by individuals, but by the state. To cover this loss, estimated at £1,200,000, a window-tax was imposed, as less inquisitorial than the old hearth-tax which it was at first proposed to revive. May 4, 1696, was fixed as the date after which the old coins were not to be received in payment of taxes. The re-coinage act, an epoch-making event in the economic history of England, received the royal assent on January 21, 1696. Many critical months elapsed before the mint, under the mastership of Sir Isaac Newton, could cope with its gigantic task, and during the interval England suffered severely from the scarcity of the means of circulation. But foreign observers were astounded at the comparative ease and calmness with which the country, in the middle of a great European war, grappled with so vital and so difficult a problem.

Meanwhile the harmony with which the session had opened had been seriously disturbed. Although the whigs were pledged to the continuance of the war, they shared with the tories a jealous suspicion that William thought more of continental than of English interests, and they were always ready to complain of the inadequate efforts and sacrifices of the allies. These feelings were strengthened by the king's ill-judged

partiality for his fellow-countrymen. The news that he had granted to Portland large and lucrative estates in Denbighshire called forth a strongly-worded protest from the commons. With a great effort William concealed his resentment and revoked the grant. But he found that one concession stimulated the demand for more. Ever since the condemnation of Algernon Sidney, the whigs had clamoured for a change of law which should render impossible such a miscarriage of justice in the future. A bill to regulate trials for treason, and especially to secure that two witnesses should testify to the same act or the same kind of treason, had several times since William's accession been adopted by the commons. Hitherto these bills had failed through the resentment of the lower house at the special privileges claimed by the lords, who insisted that a peer should be tried by the whole house of peers and not by a special commission selected by the king. Although this provision was again inserted in 1696, the whigs accepted it rather than lose the measure. William could hardly think the time well suited to facilitate the defence of men charged with treason, but he deemed it still more inopportune to provoke a quarrel by refusing his assent, and the bill became law along with the re-coinage bill on January 21. So far were the whigs carried by their antagonism to the crown that they gave their support to tory measures. A bill was carried to exclude all but landholders from the house of commons; and when it came to the raising of the last £200,000 for the year, the offer of the Bank of England was refused, and the subscribers were formed into a rival Land bank.[1]

The strained relations between king and parliament, and the general uneasiness caused by the scheme of re-coinage, revived the hopes of the Jacobites. Divisions at the court of St. Germain were as rife as ever, but the Middleton party, or "Compounders," had strengthened their ascendency at the end of 1694 by procuring the dismissal of Melfort.[2] Nothing had been done in 1695, because France could not give active assistance. But during the winter the prospects of French intervention improved. The most fatal blow to the interests of Louis XIV. had been the despatch of the allied fleet to the

[1] Luttrell, iv., 16.

[2] Macpherson, *Original Papers*, i., 495; Ailesbury, i., 325.

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Mediterranean. No more efficient counter-stroke could be delivered than an actual invasion of England while so many ships were absent at Cadiz. James, who had begun to give more attention to the saving of his soul than to the recovery of his kingdom, returned from his annual retreat at La Trappe to concert measures with his generous supporter. It was arranged that Boufflers should secretly draw some 12,000 men from their winter quarters to the neighbourhood of Calais, that a fleet of transports should be collected in the neighbouring ports, and that James himself should accompany the expedition. Everything was to be ready for the middle of February. Berwick, James' son by Arabella Churchill, was sent to England in January to concert measures with the leading Jacobites. His mission was not encouraging. Most of the more eager conspirators were worthless adventurers, who bragged of their loyalty over the bottle, but whose wisdom was as little to be trusted as their sobriety. Men who had a stake in the country, like Ailesbury, were still determined not to move till their auxiliaries were actually on English soil.[1] In the middle of February the duke suddenly returned to France, and met his father at Clermont. James had already gathered from Berwick's letters that things were not very promising, and had doubted whether it was worth while to go to the coast. But after the interview, instead of returning, he continued his journey to Calais, where he arrived on February 20. His own narrative suggests that what he learned from Berwick gave him some hopes of success.[2]

Prominent among the numerous Jacobite agents who had recently come over to England was a certain Sir George Barclay. His instructions commanded loyal subjects not only to rise in arms, but also "to do such other act of hostility against the Prince of Orange and his adherents, as may conduce most to our service". This was interpreted by Barclay and by those whom he took into his confidence as justifying the assassination of William, provided it were done by an open and semi-military attack. It was finally agreed to carry out the enterprise in a

[1] Ailesbury, i., 362; *Life of James II.*, ii., 541. Ailesbury's *Memoirs*, though ill-arranged, ill-expressed, and untrustworthy as to details, give a vivid impression of the mutual distrust among the Jacobites, and of the worthless character of most of their agents.

[2] *Life of James II.*, ii., 543.

narrow lane near Turnham Green, which the king must traverse as he returned from his Saturday's hunt at Richmond. Some thirty-five men were to be employed, and eight of them, with Barclay at their head, were specially selected to "take care of the prince".[1] It is practically certain that Berwick knew of the scheme, and that this was the news which he communicated to his father at Clermont. James could plead with truth that he had given no approval of the plot, and had never been consulted about it, but his scruples did not forbid him to profit by it if it should prove successful. CHAP. XVII.

The Jacobites, however, were not very loyal conspirators. First two and then a third of the gang carried their budget of information to the ever-watchful Portland. On two consecutive Saturdays William abstained from hunting, and on the second the task of arresting the conspirators was begun. Barclay himself escaped, but most of his companions were arrested, and further escapes were rendered difficult by the discovery of the familiar channels of communication with France. As the baser prisoners sought to save themselves by giving evidence against their associates, there was no difficulty in procuring convictions. If William had been willing to follow the precedent of 1683, it would have been easy for him to confound would-be rebels with the would-be assassins, and to bring ruin and disgrace upon the leaders of English Jacobitism. But he was curiously tolerant of treason, and he knew that nothing sows distrust among conspirators more surely than the deliberate sparing of known accomplices. There were numerous arrests, but comparatively few were punished beyond those who were certainly privy to the project of assassination. The more serious danger of a French invasion ended with the detection of the plot which was to have been its starting signal. Boufflers and his troops made their way to the war in Flanders, and James returned to his prayers at St. Germain. All hope of his restoration ended in February, 1696, and his patron laid rather cruel emphasis upon his failure by offering in this year to support him as a candidate for the vacant throne of Poland.

Parliament was still busied with the project of a Land bank when on February 24 William in person brought the news of the assassination plot and the intended invasion from France. The

[1] See Barclay's narrative in *Life of James II.*, ii., 546-52.

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effect was almost magical. The whigs promptly rallied to the support of a king whose cause was bound up with their own interests, and the tories found it difficult to resist the flowing tide of popular excitement and alarm. Bills were hastily introduced to suspend the habeas corpus act, and to provide for the continuance of parliament after the king's death. The commons voted the formation of an association to recognise William's title, to defend his person, to take vengeance on any who should bring about his death, and to maintain the order of succession laid down in the Bill of Rights. In the calmer atmosphere of the lords Nottingham and other tories objected to the words "rightful and lawful king" as implying a hereditary claim. In order to pacify them, a sentence was substituted to the effect that William alone was lawful king, and that neither the late king nor the pretended Prince of Wales had any right to the throne. In this modified form the association was signed by eighty-one peers. Those who refused exposed themselves to both popular and royal displeasure, and Nottingham and Normanby were removed in consequence from the privy council.[1] The lords accepted the bills for suspending the habeas corpus act and prolonging parliament for six months after the king's death. Adhesion to the association was to be imposed upon all members of future parliaments, and upon all officers, civil, military, and naval.

Thus William owed to the unsuccessful malice of his enemies the harmonious termination of a session which had, at one time, threatened serious danger to both his prerogative and his policy. He rescued the whigs from themselves by vetoing the bill on the qualification of members. But the bill creating a Land bank, the only other outstanding measure of the factious period, appealed to the king's desire for adequate supplies for the war. Not only did he give his assent, but he sought to encourage subscriptions by putting down his own name for £5,000.[2] On April 28 parliament was prorogued, and in the following week William set out for the continent. The administration was entrusted to the same lords justices as in the previous year.

But the Jacobite plot, if it strengthened William's position at home, had disastrous consequences abroad. In the first

[1] Luttrell, iv., 26. [2] *Ibid.*, iv., 53.

panic it was decided to recall Rooke from Cadiz. Lord Galway, the English ambassador in Piedmont, declared that the French were "relieved from the greatest embarrassment which they have hitherto experienced" and urged that at least twenty-five ships should be sent back to the Mediterranean.[1] Ministers had good reason to deplore the evil consequences of their hasty action, but they had no money to spend on a new naval enterprise, and in all probability public opinion would hardly have sanctioned the sending of the fleet once more to a distance from the English coast. As matters stood, there were vehement complaints that so little was done to check the ravages of Jean Bart and other active privateers.[2] Thus France was allowed to recover her supremacy in southern waters. The change in the balance of naval power had disastrous results in Italy. The Duke of Savoy desired the maintenance of equality of strength between Bourbons and Hapsburgs, rather than the triumph of the Grand Alliance, and only continued the war till he could extort favourable terms from France. With the departure of the English fleet his last fears and with them his last scruples disappeared. Negotiations with Catinat, excused to the allies as mere artifices to gain time, resulted in the conclusion of a treaty on August 29. To reward the duke for deserting the coalition, the French undertook to restore Pinerolo, Richelieu's great acquisition, and all later conquests. In October the Emperor and the King of Spain were reluctantly coerced into accepting a suspension of arms in Italy until the conclusion of a general peace.

Thus Louis XIV. had taken the first step towards breaking up the Grand Alliance, and had also secured the release of 50,000 men who could be employed elsewhere. The only thing on which the allies could congratulate themselves was that the agreement came too late to influence the campaign of 1696 in the Netherlands. The French, still under the command of Villeroy and Boufflers, had once more the advantage of superior numbers. But they were fatally hampered by lack of supplies. A bold move on the part of Koehorrn destroyed their stores at Givet, and for the rest of the year Villeroy's

[1] *Shrewsbury Correspondence*, pp. 286, 296.

[2] Luttrell, iv., 72: "The privateers were never so thick on the coasts of these 3 kingdomes".

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movements were dictated by the one imperative need of avoiding starvation. William, on his side, was equally afflicted by want of money. Though the English mints were working at full pressure, they could not produce enough coin to satisfy the home demand, and great part of what they did issue was hoarded with such care that it did not come into circulation. Credit was in those days ill-organised, and was itself almost paralysed. The Bank of England, whose notes might have saved the situation, was so shaken by the proposal to form a rival institution, and by a run upon its resources, that it only escaped bankruptcy by a call of 20 per cent. upon its shareholders. Montagu's ingenious device of exchequer bills bearing a small rate of interest prevented domestic trade from falling back upon the elementary processes of barter, but they were useless for transmission abroad. William was already on the verge of despair, when the news came that the whole scheme of the Land bank had ended in failure. William wrote to Shrewsbury on July 20 that, if the lords justices could not devise some expedient, "all is lost, and I must go to the Indies".[1] The next day he sent Portland to permit the immediate summons of parliament, though "I know the difficulty, and even the danger, of assembling it during my absence". This expedient was rejected as too hazardous. Attempts to galvanise the subscriptions to the Land bank produced a beggarly £40,000.[2] Ultimately the treasury decided that £200,000 would just enable the services to be carried on until the king returned and parliament could meet. The Bank of England, in spite of its ungrateful treatment, agreed to raise the required sum, and the harassed ministers breathed more freely.[3] But there was still too little for William's needs, and he was glad to end a campaign which only served to illustrate the exhaustion of both combatants.

During William's absence a question had arisen which for a time diverted men's minds from both the currency problem and the pecuniary difficulties of the government. Among the Jacobite prisoners was Sir John Fenwick, a man who had incurred the bitter displeasure of William by insulting Mary soon after her accession. That he was guilty of treason there could

[1] *Shrewsbury Corr.*, pp. 129, 130. [2] *Ibid.*, p. 133.
[3] *Ibid.*, pp. 135, 138; Luttrell, iv., 97.

be no doubt, and two witnesses among those first arrested were prepared to give evidence against him. But the first greed for vengeance had been satiated, and the government was more desirous of authentic information than of further bloodshed. The Duke of Devonshire, a relative of Fenwick's wife, was employed to induce the prisoner to make a full confession. In the hope of throwing the administration into confusion, Fenwick disclosed the secret intrigues of men whose relations with the exiled king were hitherto unsuspected by the mass of the people.[1] Among the accused were Shrewsbury, Russell, Godolphin, and Marlborough. Devonshire sent the statement to William, to whom it was no revelation. He hastened to assure Shrewsbury of his absolute trust in his loyalty, and ordered Fenwick's trial to proceed in due course. But though the prisoner's disclosures failed to sow distrust between the king and his favoured advisers, they were not without results. Shrewsbury, overwhelmed by the contrast between the king's magnanimity and his own consciousness of guilt, announced his intention to resign. William, who was genuinely attached to him and also anxious to profit by his influence in the whig party, refused to accept the resignation. But, on the plea of ill-health, Shrewsbury remained in his country-seat, and took little active part in subsequent affairs. It was otherwise with Godolphin. He was not more guilty than Shrewsbury, and he professed to treat Fenwick's charges with disdain. But he had no claim to the support of the whigs, and a parliamentary inquiry was likely to be more hostile to him than to Shrewsbury or to Russell. By the insidious advice of Sunderland, who was becoming more and more prominent as the king's guide in domestic politics,[2] he was induced to resign office in October. The retirement of the last prominent tory from the king's service completed the identification of the ministry with the whigs.

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The defection of the Duke of Savoy and the obvious inability on either side to strike a decisive blow, pointed in the autumn of 1696 to a speedy close of the war. Louis XIV. was in urgent need of peace, and a serious illness of the King of Spain in September convinced him that he must free himself from other complications if he would give effect to Bourbon

[1] See Fenwick's information in *Buccleugh MSS.*, li., part i., 393-96.

[2] See Luttrell, iv., 91; Ailesbury, ii., 352.

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claims on the Spanish succession. He could no longer hope for the restoration of James II. He might conceivably have made a stand for some eventual recognition of the Prince of Wales, but James bluntly refused to be disinherited in favour of his own son. On the other side, William, depressed by pecuniary difficulties, was willing to make terms, and he was fully as anxious about the Spanish succession as was Louis himself. The Emperor and the King of Spain, although more inclined to continue hostilities, could hardly resist the pressure of their allies. But between the recognition that peace was inevitable and the conclusion of a satisfactory treaty there was a vast difference, and much might happen in the interval to affect the terms of the settlement. Among the most important factors in the situation was the attitude to be assumed by the English parliament, which met for its second session on October 20.

William's opening speech was as able as his rare public utterances always were. He admitted that there were overtures for a general peace, but contended that it was necessary to negotiate with arms in one's hands. In order to provide arms, two things were necessary. Credit must be restored by completing the reform of the coinage; and some means must be found to make good the deficiency in the supplies of last session. The notable measures of the session illustrate the readiness of the whigs to give a favourable answer to the king's appeal. To extract the stores of silver which had not yet come in, it was enacted that hammered silver should be received at the mint until the following July, at the rate of 5s. 4d. per ounce, and in payment of taxes at 5s. 8d. This was so successful that in the next year the circulation of hammered silver was prohibited by statute. To raise the enormous supplies necessary for wiping out the deficit and carrying on the war, new taxes were imposed and the Bank of England undertook to furnish two millions and a half. In return the Bank obtained important concessions. No rival corporation was to be erected, its charter was guaranteed till 1710, and after that date it could only be dissolved on giving a year's notice.

In the midst of these important measures parliament found time to deal with the case of Fenwick. The grand jury had found a true bill against him, but it proved impossible to

proceed further with his trial because one of the necessary witnesses had been bribed to leave the country. The whigs were furious at the prospect of impunity for a man who had sought to ruin their party by bringing unsubstantiated charges against their leaders. To prevent his escape from justice they brought in a bill of attainder, and, after protracted and violent debates, they succeeded in carrying it through both houses. Fenwick was executed on January 21, 1697. That he deserved his fate is unquestionable. But it cannot be maintained that his case was so important that the process of attainder, never to be justified except by the strongest reasons of state, should have been employed to bring about his punishment.

In closing the session on April 16, William gratefully declared that it had been "carried through with great prudence, temper, and affection". More impressive evidence of his satisfaction was supplied by the rewards which he distributed among his supporters. The self-effacement of Shrewsbury left Somers, Montagu, and Russell the undisputed leaders of the whig party. Somers became lord chancellor with a peerage. Montagu was recompensed for his financial services with the first lordship of the treasury, which had been vacant since Godolphin's retirement. Russell was raised to the peerage as Earl of Orford. Wharton, whose parliamentary services had been indefatigable, received a lucrative judicial appointment. Thus the ascendency of the whig "junto" was fully recognised. But these men owed their power in large measure to the support which they had received from Sunderland. Hitherto William, while making no secret of his consultations with him, and even going to Althorp as a guest, had refrained from giving any formal recognition to the hated minister of James II. To the surprise and disgust of public opinion, Sunderland was now appointed lord chamberlain and included in the list of lords justices. The other new members were the Earls of Romney and Orford. Godolphin alone of the previous seven was omitted.

During the winter the ambassadors of the various powers had been negotiating at the Hague as to the summons of a congress and the preliminaries of a general peace. If the war be regarded as a whole, it is obvious that the balance of success had been on the side of France. The one moment when the

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balance had wavered had been when the English fleet was supreme in the Mediterranean. Its recall and the defection of the Duke of Savoy had restored to France its threatened ascendency in Europe. Under these circumstances it was useless to talk about going back to the treaties of Westphalia and the Pyrenees. On the other hand, France had gained no such triumphs as in the days of Condé and Turenne, and could not expect to retain all that it had acquired since the peace of Nimeguen. Whatever treaty was made must be of the nature of a compromise. Certain indispensable preliminaries were agreed upon in February between the French and Dutch negotiators. France must restore Strassburg, or an equivalent, to the Empire, must give back Luxemburg, Mons, and Charleroi to Spain, must cede Lorraine to its duke, and above all must recognise William III. To settle the details of peace on this basis a congress was to be held at Ryswick, half-way between Delft and the Hague. Spain and the Emperor agreed to these arrangements, and the congress was formally opened in May. James issued futile protests against a congress at which he was not represented, and against any treaty which should disregard his lawful claims.

The diplomatic protocols contained no stipulation for an armistice during the negotiations, and hostilities were prolonged for another campaign. For a time there seemed a possibility that peace might be dictated at the cannon's mouth. The French had no longer to employ an army in Italy, and Catinat joined Villeroy and Boufflers in the Netherlands. For the second time the armies of France appeared before Brussels. But William, by a forced march, succeeded in saving the capital of Brabant from attack. From this time the rival armies returned to the familiar task of watching each other and of manœuvring for the control of supplies. It was evident that the campaign in Flanders would only affect negotiation so far as the various powers felt the burden of maintaining their armies on a war footing. But there were also hostilities in Catalonia, where Vendome laid siege to Barcelona. If the town should fall before peace were made, it would almost surely affect the terms of the treaty. And France had always the possibility of dividing the allies. Their interests were by no means identical. The Dutch desired security on the side

of the Spanish Netherlands. The English, and the Dutch also, demanded the recognition of William and the fullest assurances that France would give no support or encouragement to the Jacobites. Spain wanted to recover Luxemburg and the French conquests in Catalonia. The Emperor and the German princes were primarily interested in reversing the decisions of the reunion courts, and above all things, in the recovery of Strassburg. If France could satisfy one or two of these demands, it might induce the gratified powers to put pressure on their allies to take more moderate terms. In such arts the French diplomatists were past masters. And there was another and still more formidable card to play. The restoration of the disputed territories involved the thorny question of religion. Nothing could better serve the interests of Louis XIV. than to stir up religious dissensions between the maritime states on the one hand and Austria and Spain on the other.

There can be no doubt that, in his eagerness for peace, William for once played into his opponent's hand. He might have saved Barcelona, as in 1694, by a naval demonstration, but he made no response to the urgent appeals of Spain. And he could in all probability have forced France to restore Strassburg, if he had resolutely set his face against separate negotiations apart from his allies. But, instead of insisting upon united action, he authorised private and informal interviews between Portland and Boufflers. Nothing illustrates more clearly the personal character of William's management of foreign affairs. Behind the back of the authorised plenipotentiaries at Ryswick, and without consulting either them or his own ministers at home, he employed his own trusted friend, who was not even an Englishman and who held no English office, to conduct negotiations and to give pledges which touched the most vital interests of England. And it was soon obvious to Europe that its future was really being shaped, not by the professional diplomatists at Ryswick, but by the soldier and the politician who talked matters over in the open air, and between whom very little passed in the way of writing.[1]

[1] For the negotiations of Portland and Boufflers, see Grimblot, *Letters of William III. and Louis XIV.* (1848), vol. i. On the relations of English ministers with the negotiations, see *Shrewsbury Corr.*, part ii., chaps. vii.-ix., and *Buccleugh MSS. at Montagu House*, ii., part ii.

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William's action strengthened Louis' hands in two ways. It demonstrated his eagerness for a settlement; and it excited very natural suspicions on the part of the Emperor and the German princes. The early discussions between Portland and Boufflers concerned two matters of strong personal interest to William, the disavowal of the Jacobite cause by France, and the principality of Orange. On the first point Louis offered the conventional pledge that he would not assist William's enemies, and demanded in return a full amnesty for all Jacobites and the payment of the annuity which had been voted to Mary of Modena on her marriage. William desired that James and his son should be abjured by name and that they should find a refuge outside France. In the end a compromise was come to. Louis resolutely refused to mention James' name, or to deprive his guests of the hospitality which he had promised them. But he agreed to an explicit engagement that he would not favour conspiracies against William nor give assistance to "any person or persons" who might disturb or molest him. The question of amnesty was dropped, as encroaching upon the functions of parliament, and Mary of Modena was to receive any sums to which she was legally entitled. As regards Orange, William was to recover it in full sovereignty, with all the revenues which he should have enjoyed during the period of confiscation.

These agreements were reported to the plenipotentiaries at Ryswick, who had perforce to accept them as having the approval of both kings. William had pledged himself at the outset that, if he was satisfied of Louis' good faith, he would use his influence with the allies to bring about a reasonable treaty. Any objections on the part of Spain were removed by the fall of Barcelona in August. Louis was now in a position to issue an ultimatum. He would keep Strassburg, but would give, as an equivalent, Freiburg, Breisach, and Philippsburg. On the other hand, to Spain, which he wished to conciliate, he would cede not only Luxemburg but all his recent conquests, including Barcelona. The proffered terms were to be accepted or rejected within three weeks. This dictatorial tone and the decision to retain Strassburg were equally distasteful to William, but he himself was largely responsible for both. Remonstrances were useless unless accompanied by a definite threat to resume

hostilities. William had gone too far for that, and he would have risked serious opposition in England and in Holland if he had continued the war for an object in which neither was directly interested. In the early morning of September 21, the three treaties were signed which established peace between France on the one side and the United Provinces, England, and Spain on the other. Each treaty contained a separate article, which reserved to the Emperor and the Empire the right to accept by the end of October the terms proposed in the recent French declaration.

Leopold had two successes in the course of 1697, over which he had good reason to exult. The French candidate for the Polish throne had been rejected, and the choice of the diet had fallen on the Elector of Saxony, who at the time commanded the imperial forces in the east. And, after five or six years of reverses and disappointments, Prince Eugene, who took the elector's place, won in September the brilliant victory of Zenta over the Turks. But the Emperor's natural delight in these triumphs was checked by the news that he must acquiesce in the permanent loss of Strassburg. The representatives of the German princes spoke in the strongest language against the proposed terms. Germany, however, deserted by its allies, could not venture to threaten war, and nothing less could alter the demands of the French king. On the contrary, at the last minute, he introduced a formula which exasperated the protestants by providing for the maintenance in Strassburg of the existing Roman catholic ascendency. This was acutely planned to sow new discord among the members of the dissolving coalition. Protests were useless, even William could not advise a rupture on a question which would have divided states on religious instead of on political interests,[1] and the treaty of Ryswick was completed on November 2 by the adhesion of the Emperor and the imperial diet.

But, although in its last stages the treaty of Ryswick was a diplomatic success for France, it must not be supposed that Louis had any reason to congratulate himself upon the settlement as a whole. A comparison of the position of France between 1680 and 1688 with its position in 1697 shows an enormous lowering both of power and of pretensions. In the

[1] William to Heinsius in Grimblot, i., 131. *Buccleugh MSS.*, ii., 574.

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early period Louis had posed as the dictator of Europe, and no combination of states had been strong enough to check his aggressive action. In 1697 he had to buy off his enemies by concessions. He had already given up Casale and Pinerolo in Italy. Now he gave to the Dutch a favourable commercial treaty. To Spain he resigned Luxemburg and many other conquests. And, to appease England, he had to abandon the cause of a king to whom he was bound by the ties of blood and by the imperious obligations of promised aid and patronage. Even though he kept Strassburg, he had to give a very substantial equivalent in its place. For the lowered pretensions and the less arrogant tone of the French king there were several substantial reasons. In the first place, they were voluntary on his part, because he urgently needed peace to prepare for decisive action in the now rapidly approaching question of the succession in Spain. In the second place, France was exhausted and needed a period of rest. But the supreme cause of the change is to be found in the English Revolution. So long as England was an ally or a neutral, France had dictated its will to Europe. With England hostile, France lost for a hundred years the predominance which Richelieu had built upon such apparently secure foundations

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THE PARTITION TREATIES.

FOR six consecutive years William had had to hurry back to England in the autumn in order to obtain from parliament the supplies required for the next campaign. With the conclusion of the treaty of Ryswick the need for haste came to an end, and William welcomed the continuance of westerly winds which prolonged his stay in his beloved Holland. It was not till November 15 that he landed in England, where he was greeted with rejoicings almost as unanimous and spontaneous as those which had welcomed Charles II. on his return from exile. But the welcome was for the peace rather than for the king, and William never again enjoyed even the semblance of popularity in the country to which he had rendered such substantial but ill-appreciated services. On December 3 he opened the third and last session of the whig parliament, to whose loyal support he owed the security of his throne and his ability to bring the war to a satisfactory end. His speech formulated three demands: an adequate civil list, the maintenance of a great strength at sea, and the retention of a sufficient army to ensure the safety of England. On this last point the views of the king and of parliament proved to be irreconcilable. William had resolutely kept the control of foreign affairs in his own hands: and no other course was possible for a ruler who had to safeguard the interests of two separate states. But for a secrecy imposed both by temperament and by necessity he had to pay a heavy penalty. He could not bring home to his subjects, or even to his ministers, the motives which guided his far-reaching schemes. To William it was obvious that the recent treaty was a mere truce, and that at any moment the danger from France might be more menacing than it had been during the war. From

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his stand-point it was madness to relax the attitude of watchful preparation. But his English subjects, whigs and tories alike, took a much shorter and more obvious view. They thought only of the end of the war and of the sacrifices which it had entailed. They looked forward with glee to the lowering of taxes, to the expansion of trade, and above all to the disbandment of the standing army which by the Bill of Rights had been declared illegal in time of peace.

Before parliament met, this last question had been raised in numerous pamphlets. One of the most widely circulated denounced standing armies in its very title as "inconsistent with a free government, and absolutely destructive to the constitution of the English monarchy". To William, with his continental associations and prepossessions, English prejudices were largely unintelligible. Some success might have been achieved in parliament, if king and ministers could have agreed to bring forward a reasoned plan for the maintenance of a moderate force, such as 20,000 men. But the king wanted at least 30,000, and his ministers shared neither his convictions nor the knowledge of European politics upon which they were based. At the same time the relations of the king and his official advisers were strained by his ill-judged promotion of Sunderland to office. His obstinate refusal to promote Wharton to a secretaryship of state, and the appointment of James Vernon in his stead, were both attributed to the chamberlain's influence. There can be no doubt that William's intercourse with Sunderland was more intimate and confidential than it was with Somers, Orford, or Montagu. The whig leaders forgot their previous obligations to Sunderland, and suspected him of a secret desire to bring about a transference of royal favour to the tories.[1]

The result of this want of harmony between crown and ministers was to give the lead in the army question to the opposition. Robert Harley, who was rapidly rising to prominence in the tory ranks, proposed to follow the procedure after the peace of Nimeguen, and to disband all forces which had been raised since September, 1680. It was roughly estimated that this would leave some 8,000 men in addition to those in Ireland and Scotland. To William's intense chagrin,

[1] *Shrewsbury Corr.*, pp. 501, 511, 532.

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the motion was carried in both houses without serious opposition. In the course of the debate open allusion was made to the prominence in the royal council of the man who had guided James in his disastrous attempt to maintain arbitrary government with the help of a standing army. Sunderland, acutely conscious that the ministers would do nothing to defend him, insisted upon resigning his office in December, 1697. The efforts of Shrewsbury to act as a mediator proved futile,[1] and the temporary alliance of Sunderland with the whig leaders came to an end. William, who resented the loss of an able adviser, was all the more alienated from the ministry, though he deemed it impolitic to make any extensive change during the session of parliament.

With the carrying of the motion for disbandment, and the retirement of Sunderland, the main causes of difference between the king and parliament were removed. The majority of the members were still well disposed towards the court, and the rest of the session was not inharmonious. The civil list was fixed at £700,000 a year, and was granted to William for his life. No difficulty was raised as to the maintenance of the fleet. The sum ultimately voted for the army was £350,000, which was more than Harley and his party had proposed to grant, and William saw his way to keep together 10,000 men in England.[2] A further concession was the grant of half-pay to retired officers, which would facilitate the re-assembling of an army in case of need.[3] An elaborately planned attack upon Montagu's financial administration ended in ignominious failure, and the commons went out of their way to vote that his good services to the state had merited the king's favour.

Although the most important measures of the parliament were settled in the first two months, the session dragged on till July 5, 1698. This was due to financial difficulties, and to the vexed question of trade with the East Indies. It was certain that the nation would not endure the continuance of war taxes in time of peace; indeed the land tax was already reduced from four to three shillings. On the other hand, there were heavy outstanding arrears to be cleared off, and it was necessary to raise a large sum of money otherwise than by taxation. The East India Company offered £700,000 on condition that its

[1] *Shrewsbury Corr.*, pp. 530, 534. [2] Grimblot, i., 147. [3] *Ibid.*, p. 149.

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royal charter should be confirmed by parliament. But the offer was inadequate, and the company had been closely associated with the tory party. Montagu seized the opportunity to gain another financial triumph, and to found a new whig stronghold in the city. The "interlopers," who had been fighting the exclusive privileges of the company for several years, were eager to purchase ministerial support. An act was passed which gave to the subscribers of £2,000,000 the exclusive trade with the East Indies until 1711. In order to wind up its affairs, the old company was allowed to continue its trade for another three years. The act was a victorious assertion of parliamentary control over the royal right to charter exclusive companies, but William was too eager to get the money to cavil at the accompanying sacrifice of power. To his relief and Montagu's jubilation, the two millions were subscribed in a few days, and the chancellor of the exchequer declared that another million could have been obtained on the same terms.[1] It was a striking demonstration to Europe of England's financial strength that so large a sum could be raised with such ease at the close of an exhausting war.

In spite of his annoyance at the opening measures of the session, William admitted in his closing speech that the parliament had rendered eminent services to the crown. But for the triennial act, he might have kept the assembly till the end of his reign, and would thereby have escaped many troubles and humiliations. As it was, the prorogation was followed by a dissolution, and in August the country was in the throes of a general election. William had hurried off to Loo directly parliament was up. Before he went, he appointed Marlborough governor of the young Duke of Gloucester, Anne's one living child, and he left him as one of the lords justices in his absence. This in itself showed his diminished attachment to the whigs. The king's evident determination to spend as much time as possible in Holland, though there were no longer any military operations to demand his presence, tended to exasperate English opinion, already rather sore at the retention of Dutch troops while English soldiers were dismissed. The elections began from the first to go against the court, and it was soon evident that in the next house of commons the

[1] *Shrewsbury Corr.*, p. 544; Grimblot, ii., 92.

majority would be ill-disposed to support whig ministers and inclined to hostile criticism of the king's foreign policy. CHAP. XVIII.

The prospect of differences between crown and parliament was the more serious because William was already engaged in the most momentous negotiation of his life. To gain success it was essential that there should be in his position no element of weakness, either military or political. After a delay of nearly forty years, Europe was at last face to face with an imminent quarrel for the vast Spanish inheritance.

Charles II. of Spain was still childless, and at the age of thirty-six displayed all the characteristics of an old and exhausted man. It was certain that he could not live long, and that with him the male line of the Spanish Hapsburgs would be extinct. A century earlier there would have been no doubt as to the succession. Ever since the separation of the two Hapsburg branches there had been a family compact that the one branch should inherit if the other should die out. In order to bring this agreement into accordance with Castilian law, which prescribed female succession in the absence of male heirs, each successive head of the Austrian branch had married the eldest Spanish infanta, so that her possible claims might be transmitted to Hapsburg heirs. As long as this practice continued, and each marriage produced male issue, the provision for the Spanish succession was simple and adequate. But in the course of the seventeenth century complications had arisen. In two successive generations political reasons had led to the marriage of the eldest infanta to a Bourbon King of France. In both cases the family agreement had been safeguarded by obtaining a formal renunciation of any eventual claim to the succession from both bride and bridegroom. And in both generations the second infanta, to whom the claim was transferred by the renunciation of the elder sister, had married the Hapsburg Emperor, in the one case Ferdinand III., in the other Leopold I. But Louis XIV., after his marriage with the elder daughter of Philip IV., had declared the nullity of his wife's renunciation, and was provided with at least two grounds for his contention, the non-payment of Maria Theresa's dowry, and the absence of such formal confirmation by the Cortes as was required by Castilian law.

Even more serious was the difficulty which arose from

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Leopold's marriage with Margaret, the younger daughter of Philip IV., whose claim to inherit after her brother was recognised by her father's will. Of five children of the marriage the only survivor was a daughter, Maria Antonia, who was subsequently married to Maximilian Elector of Bavaria. Before the marriage the bride made a private renunciation of her claims in favour of her father's children by a later marriage, and Maximilian agreed to this on condition that he should receive the Netherlands. But this act was glaringly illegal from the Spanish point of view, and for some time was not even communicated to the court of Madrid.

If there had been no Bavarian claim, the attitude of the opponents of Louis XIV. would have been fairly clear. It was their interest and their duty to resist the Bourbon claim, and to support their Hapsburg ally. Leopold made it easy for them by announcing his willingness to transfer his own claim, derived from his mother, to his second son by a third wife, the Archduke Charles. This would make the minimum of disturbance in the *status quo*. There would once more be two separate Hapsburg lines, one in Spain and one in Austria, as there had been for a century and a half. In the Grand Alliance of 1689 a secret clause actually stipulated that the maritime powers would support the Austrian claimant, and if the vacancy had occurred during the war, this would probably have been carried out. But by 1698 the situation was completely changed. In 1692 Maria Antonia had given birth to a son, Joseph Ferdinand. The mother had died soon afterwards, and on her deathbed had renewed her renunciation. But her act was no more valid than it had been before, and it could hardly prejudice the rights of her son. Thus William, as representing the maritime powers, could plead that he was no longer bound by the secret clause of 1689. On the one hand the alliance itself was practically at at end, and on the other there was now a claimant who did not then exist. The claim of Joseph Ferdinand was probably by Spanish law superior to any other, and, from the point of view of England and Holland, his accession would be less objectionable, not only than that of a Bourbon prince, but also than that of the Archduke Charles.

The Spanish succession is a European rather that an English question, and it is needless to follow all the tangled threads

of continental diplomacy. But, in order to understand the policy and the interests of England, it is necessary to form a clear idea of the motives which actuated the chief actors in the drama. To the Castilians, the dominant people of the Spanish dominions, the all-absorbing interest was to keep the Spanish empire united. Parties might differ as to the best method of averting partition. The majority thought it most legal and politic to support Joseph Ferdinand of Bavaria. Others adhered to the Hapsburg connexion and the cause of the Archduke Charles. Others, again, thought it safest to gratify Louis XIV. by accepting one of his younger grandsons, who might soon learn to be a good Spaniard. But, in spite of such differences, the Castilians were certain in the long run to give their support to the claimant who held out the best prospect of maintaining imperial unity and Castilian predominance.

The attitude of the Emperor Leopold was equally clear. He had no doubt as to the validity of his own claim, and he could not believe that Spain would ever pass to a Bourbon or a Wittelsbach. On one important point his views were in harmony with those of the Castilians. Though willing to give the Netherlands to his son-in-law, who was already their governor, he was resolved to claim the rest of the inheritance for his second son, and would not listen to any project of partition. He knew that he could not succeed without the aid of the maritime powers, but he considered them pledged by the secret agreement of 1689, and he was confident that their hostility to Louis XIV. would compel them to back the Hapsburg claim in preference to that of the far weaker house of Wittelsbach.

William III., who represented both the maritime powers, held the position of a keenly interested onlooker. The accession of the dauphin, which meant the eventual union of Spain and France, must be prevented at all hazards. The accession of a younger Bourbon line, which would probably be under French control, was only to be tolerated if adequate safeguards were provided for the political security of the Dutch and for the commercial interests of both Dutch and English. It would be better in itself to have a separate Hapsburg dynasty in Spain, but this could only be brought about by a European war, and William was anxious to avoid another war. The conviction had been gradually growing in his mind that a

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Wittelsbach king of Spain, under the protection of the maritime powers, would be preferable to either a Bourbon or a Hapsburg. Such a king, coming by good fortune into so vast a heritage, would probably be willing to buy off rival claimants, and thus the chances of a European war would be minimised.

By far the most important personage in the matter was Louis XIV., and his policy underwent such changes that it is difficult to speak with certainty of his designs at any particular moment. If he had ever entertained the ambitious hope of uniting France and Spain under a single king, he had abandoned it long before 1698. Spain would never submit to absorption, Europe would combine to prevent it, and the late war had taught Louis that he could not hope in such a cause to triumph over a hostile coalition. When the dauphin's second son was born, he gave him the name of Philip with the intention of fitting him to be the founder of a distinct Bourbon dynasty in Spain. That was still a perfectly feasible project. But it also might lead to a European war, and such a war was as little desired by Louis as by William. To avert war, it might be politic to waive the Bourbon claim to the whole inheritance in order to gain permanent acquisitions for France. These might serve to strengthen its eastern frontier, or perhaps to give it the long-coveted ascendency in Italy. The discussion of such a scheme, whether carried out or not, would have the immediate advantage of sowing dissension between Austria and its allies, and of alienating Spanish opinion from both. The one solution to which Louis would never assent was the accession of the Austrian archduke in the whole Spanish dominions. To leave France face to face with a double Hapsburg dynasty, more closely united even than in the past, would be to admit that his whole reign had been a failure In the hope of preventing such a disaster, Louis adopted two courses of action. He opened negotiations with William III. for a partition treaty, and at the same time sent a skilful envoy to Madrid to conciliate the Castilians and to urge the validity of the Bourbon claim. The two schemes were mutually antagonistic, but each might help the other. The maritime powers were more likely to consent to a partition which gave solid gains to France, if they were strongly impressed with the danger of a Bourbon prince obtaining the Spanish crown. On

the other hand, the Castilians were more likely to welcome a Bourbon king, if they thought it the only way of avoiding partition. For the moment, Louis attached the more importance to his relations with William, but under altered circumstances, he might gain greater advantages from Spain. CHAP. XVIII.

The treaty of Ryswick led to the resumption of orderly diplomatic relations between England and France, and the comparative coolness between William and the Emperor gave to those relations peculiar importance. This was emphasised when William selected the Duke of Portland to go on a special embassy to Versailles. It was a questionable step to entrust the representation of English interests to a not very popular Dutchman, but Portland had William's entire confidence, and he could represent him in his double capacity as king and stadholder better than any Englishman could do. In spite of friction caused by the continued presence of James and his ministers on French soil, and by the sheltering of men like Berwick and Barclay, who were accused of complicity in the assassination plot,[1] Louis took advantage of Portland's presence to broach the question of the Spanish succession. On the ground that he and William had a common interest in preventing another European war, he urged that they should come to some preliminary agreement. Portland pressed for a disclosure of French plans for communication to his master, and opened the discussion of details with the French ministers, Torcy and Pomponne. But no great progress was made until Count Tallard arrived in London, towards the end of March, and entered into direct communications with William. It was in London that the crucial negotiations took place, though Tallard had to follow William to Loo before the treaty was concluded. Even upon English soil William had no other confidants than Portland, who returned from Versailles to make room for Lord Jersey, and Heinsius, the grand pensionary of the province of Holland. France and England were drawn together by mutual fear. William, hampered by parliament and by the want of money and troops, was convinced that Louis, whose army was already massed on the Spanish frontier, could make himself master of Spain before any effective resistance could be offered. Louis, on the other hand, feared that William

[1] See Portland's letters in Grimblot, i., 159-228.

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might come to a separate agreement with the Emperor or the Elector of Bavaria, and, in spite of his apparent advantages, dreaded the results of a struggle with a new coalition.

As soon as the first distrust on both sides was removed, the main elements of a possible agreement seemed to be clearly defined.[1] Obviously, with three claimants and the maritime powers to be satisfied, there must be some partition of the Spanish inheritance. And two alternative schemes of partition speedily emerged. One was to give the bulk of the inheritance to a younger grandson of Louis XIV., but to detach from it the Netherlands, where English and Dutch would never tolerate a Bourbon ruler, and also the Italian provinces. The former were to go to the Electoral Prince of Bavaria, and the latter to the Archduke Charles. But, if a Bourbon prince should acquire Spain and the colonies, William made two demands. The Dutch must have an improved barrier on the side of the Netherlands; that is, France must resign some of its gains at Aix-la-Chapelle and Nimeguen. At the same time, securities must be given for the continued commerce of the maritime states with the Mediterranean and the Spanish main. William wanted Havannah in the West Indies, Ceuta and Oran on the north coast of Africa, and Port Mahon on the island of Minorca. Portland suggested the addition of Gibraltar. Louis unhesitatingly refused to surrender any French possessions in the Netherlands, but was more compliant with regard to commercial interests. He was willing to allow the cession of Oran and Ceuta, with possibly a port in Naples or Sicily. In the West Indies he would give the Spanish port of San Domingo. There can be no doubt that this scheme, which in outline anticipates the ultimate settlement of Utrecht, had many attractions for William, and it is probable that it would have met with a good deal of approval in England.

But in the end both parties came to prefer the second alternative, as more likely to commend itself to the general opinion of Europe, and therefore the more likely to avert war. This was to give the bulk of the inheritance, including Spain, the colonies, and the Netherlands, to Joseph Ferdinand, and to

[1] The course of negotiations may be followed in Grimblot and in Legrelle, ii. The latter prints in full the most important despatches. Klopp, viii., may be consulted on the attitude of Austria.

divide the rest between the Hapsburg and the Bourbon claimants. But in this case Louis insisted that the Bourbon claimant was the dauphin, so that the share for which the latter waived his claim to the whole should pass to him and thus eventually to France. To this contention William offered no serious opposition, nor did he in this case demand any direct cessions to England or to Holland. But great difficulties arose as to what the Bourbon share was to be. Louis demanded Naples, Sicily and Luxemburg, while Milan and minor Italian possessions went to the archduke. The demand for Luxemburg was unhesitatingly rejected. Louis acquiesced, but asked in exchange for a part of Spain, Guipuscoa or Navarre. After prolonged discussions William agreed that the Bourbon share should include, not only Guipuscoa, but also the marquisate of Finale and the Spanish places on the coast of Tuscany. Milan alone was to go to the Archduke Charles. At the eleventh hour William raised a difficulty which ought to have been dealt with from the beginning. If the Bourbon share was to go to the dauphin and not to his younger son, then the Hapsburg share ought to go to the Emperor and not to his second son. This was so obviously fair that Louis, though he disliked the proposal, admitted to his envoy that it would be impossible to reject it. That William failed to press the point, and allowed it to drop after the merest mention, shows how completely he had drawn away from his old ally in order to establish a good understanding with France.

The conclusion of the partition treaty was the most unconstitutional act of William's reign. Until the middle of August, when the main terms were virtually settled, he had not taken one of his English ministers into his confidence. When at last it was necessary to obtain their co-operation in order to complete the treaty, the king wrote a curt letter to Somers, while Portland wrote at greater length to Vernon.[1] Only the barest outlines of the proposed treaty were disclosed to them, and these were communicated under the strictest secrecy to Montagu, Orford, and Shrewsbury. The result of their deliberations was a letter from Somers to William, full of ludicrously belated suggestions, but admitting that the ministers could do nothing but trust to the king's superior

[1] The letters are in Grimblot, ii., 119-22.

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knowledge and insight.[1] The only noteworthy sentences in a somewhat humiliating epistle are those in which Somers declared that the recent elections proved a complete unwillingness in the nation to embark in a new war, and that if the treaty gave to England some notable commercial gain, "it would wonderfully endear your Majesty to your English subjects". But so far from resenting the king's obvious want of confidence, the ministers hastened to comply with his demands. Vernon drew up a blank commission authorising unknown plenipotentiaries to conclude an unknown treaty, and to this document Somers affixed the great seal. William's first idea was to put Portland's name alone in the commission, but he made a tardy concession to national sentiment by adding that of Sir Joseph Williamson. They signed the treaty in September with Tallard, and on October 2 the signature of eight representatives of the United Provinces completed what Tallard rather self-complacently termed "the most celebrated treaty which has been made for many ages". By a secret article it was agreed that the Elector of Bavaria was to be regent in Spain during his son's minority, and his successor if he should die childless. If the Emperor should refuse to make a full renunciation of his own and his children's claims, the archduke was not to get Milan, which would remain in the hands of its present governor, the Prince of Vaudemont.

During the negotiations it had been frequently discussed whether any steps should be taken to obtain the approval of the Emperor or of the court of Spain. But all such suggestions had been ultimately negatived on the ground that the Emperor would never consent, and that Charles II., exasperated by the attempt to settle the fate of his dominions during his own lifetime, would do all in his power to defeat the aims of the treaty. It proved, however, impossible to keep secret what was known to so many persons. The fact that a treaty had been made became common property, while the absence of any certainty as to its precise provisions increased the feelings of anger and uneasiness. At Vienna the news provoked a not wholly unjustified outcry against the perfidy of the maritime powers. But it was in Madrid that the most important results were produced. During the summer of 1698 Har-

[1] Grimblot, ii., 143-46.

court, the French envoy, had been unexpectedly successful in commending the Bourbon claims to Spanish opinion. In this he had been immensely aided by a quarrel between the queen, who was a sister-in-law of the Emperor, and Count Harrach, the dictatorial Austrian ambassador. But all Harcourt's gains were for the moment nullified by the report that Louis XIV. and the maritime powers had adopted the hated policy of partition. Charles II., irritated into unwonted determination, held a council in November, in which Philip IV.'s will was confirmed, the electoral prince was recognised as heir to the whole Spanish dominions, and the queen was selected to be regent during the minority. CHAP. XVIII.

This step on the part of the Spanish king caused little annoyance to the signatories of the partition treaty, though Louis took the precaution of making a formal protest against so complete a rejection of the dauphin's claims. Both he and William were convinced that the Elector of Bavaria would choose the treaty, which made him guardian and heir to his son, rather than the Spanish will which gave the regency to the queen. Both believed that the Emperor, threatened with the complete loss of the Spanish inheritance, would now be more willing to concur in an arrangement which secured to his son at least the possession of Milan.

But to William in his capacity as King of England the action of Spain had some irksome results. He had reluctantly returned on December 3 to face serious domestic difficulties. His relations with his ministers had not become more cordial during his absence, and they were still inclined to suspect Sunderland of influencing the king in the background.[1] Shrewsbury greeted his sovereign by renewing his resignation of the secretaryship, which was at last accepted. Still more serious was the fact that ministers had no hope of commanding a majority in the new parliament. The elections had resulted in the return of a large number of new members, who were either avowed tories, or at any rate opponents of a military policy and of a large army. In this attitude they were encouraged by the news from Madrid of what they considered to be a most satisfactory settlement of the Spanish succession. They believed that Louis would acquiesce in the exclusion of

[1] *Shrewsbury Corr.*, pp. 536, 538.

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French claims because accompanied by the exclusion of those of Austria, and that English commerce in the Mediterranean and the western seas would be amply secured by the seating of a Bavarian dynasty in Spain. William had reason to congratulate himself that the terms of the partition treaty had not been made public. Parliamentary murmurs would have swelled to execrations, if the opposition had learned of the agreement to hand over possessions which would increase French power in the Mediterranean and would give to France an easy access into Spain.

The session was not unusually long, and its legislative measures were neither numerous nor particularly important, but it was full of bitter humiliations for William. After securing the election of a whig speaker, Sir Thomas Littleton, ministers abandoned all attempt to guide the deliberations of the lower house. To William's speech, which had again dwelt on the need of military and naval preparations, the commons replied by resolving that the army should be reduced to 7,000 men, and that these should be natural-born Englishmen. Thus the king was to be deprived, not only of his Dutch guards, to whom he was devotedly attached, but also of the services of men like Meinhard Schomberg, who was commander-in-chief in England, and Lord Galway, who was his general in Ireland. For once anger deprived William of that external composure which those who had intercourse with him found so irritating and so impressive. To Heinsius he wrote: "I shall be obliged to come to resolutions of extremity, and I shall see you in Holland sooner than I had thought".[1] To Somers, and even to Marlborough, he announced his intention of abandoning England and returning to Holland. He went so far as to draw up a farewell speech to parliament, in which he denounced the ingratitude with which his services to the nation had been requited.[2]

Calmer reflection impelled William to reject the first promptings of a natural anger. To quit England in dudgeon would be to weaken if not to destroy the alliance of that country with the United Provinces. And the Dutch never needed that alliance more than at a time when they had alienated their old supporter, the Emperor, and had embarked upon a strange and

[1] Grimblot, ii., 219. [2] *Shrewsbury Corr.*, pp. 572-75.

as yet untested policy of co-operation with France. William remained in England, and consented with a heavy heart to the sacrifices which parliament exacted. It was hopeless to ask for an increase in the number of troops, but the second resolution was so far modified as to allow the service of all subjects of the crown whether born or naturalised. In this form the bill for disbandment received the royal assent in January, 1699. The king's complaisance, instead of disarming the commons, only served to increase their self-confidence. For some time grumblers had maintained that taxes would be lighter if the nation had profited as it should have done by the forfeited lands of the Irish papists. William had promised in 1691 that he would make no grants of such lands till parliament had come to a decision about them. Nothing had since been done by parliament, but the king had made lavish grants to his friends and servants. The commons now proposed to appoint commissioners to inquire into these grants, and forced their bill through the lords by "tacking" it on to the bill granting the land tax. William did not deem it prudent to refuse his assent, though he foresaw that the inquiry would give rise to serious trouble. Ministers fared little better than the king. Montagu, who had had matters all his own way in the last parliament, found himself absolutely without influence. The finances of the navy were hostilely criticised, and Lord Orford narrowly escaped direct censure. Louis XIV. received with malicious satisfaction the news of a quarrel between court and parliament which seemed likely to reproduce the conditions, so advantageous to France, of the last two reigns. For a moment he contemplated the possibility of offering pecuniary assistance to William as he had done to his uncles, but he did not venture to send the insidious instructions.[1]

William was glad when, on May 4, 1699, he closed "this miserable session of parliament," which had, in his own words, inflicted on himself a mass of impertinences and despoiled the kingdom of its entire military strength.[2] Party government was still in its infancy, and William could hardly be expected to understand that similar difficulties must always arise when ministers are confronted by a hostile parliamentary majority. Still less could he appreciate the necessity of rewarding with

[1] Grimblot, ii., 241. [2] William to Heinsius in Grimblot, ii., 324.

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office the leaders of the men who had thwarted his desires. Yet in a dim way he felt that ministers were no longer as useful as they had been, and that something must be done to conciliate new supporters. Thus the close of the session was followed by slight but significant ministerial changes. Orford retired from the admiralty, which was given to Lord Bridgwater. The secretaryship which Shrewsbury had resigned was filled by the appointment of Lord Jersey. Lord Lonsdale received the privy seal. Although these men were all professed tories, there was no intention of forming a tory administration. On the contrary, the opportunity was seized to get rid of the Duke of Leeds, who was at last dismissed from the presidency of the council to make room for Lord Pembroke.

The opposition which William met with in the session of 1698-99 was the more galling to him because it placed him at an immense disadvantage just as he was forced into a new negotiation with France. For the first partition treaty had been reduced to so much waste paper at the end of January by the sudden death of the Bavarian prince. At Vienna men exulted as if the long-expected miracle had been wrought in favour of the house of Hapsburg. Leopold was the more exhilarated because he had just concluded the Turkish war by the successful peace of Carlowitz, which gave him Hungary and Transylvania and the disposal of a victorious army under Prince Eugene. On the other hand Louis and William were profoundly depressed by the sudden failure of their promising agreement. William was the more discouraged of the two. It was more than ever necessary to avoid war, and that could only be done by coming to an understanding with France. But, with reduced forces and a malcontent parliament, he could not hope to negotiate upon equal terms.

The superior diplomatic position of Louis XIV. is the key to the negotiations of 1699 which resulted in the conclusion of a second partition treaty. William and Heinsius made a vain effort to maintain the previous agreement, and in virtue of the secret clause to substitute the Elector of Bavaria for his son. Louis promptly rejected this as wholly inadmissible. The King of Portugal was then suggested, but Louis held that French interests were opposed to a complete union of the peninsula. The French king was perfectly clear that there were now two

claimants instead of three, and that the partition must be between them. If the Austrian government had been less self-confident and dictatorial, he might have negotiated such a partition directly with Leopold, as had been done in 1668.[1] As it was, Louis again decided that the only alternative to war was an agreement with the maritime states. With equally creditable rapidity and moderation he made up his mind as to the lines on which the agreement should be made. He instructed Tallard to propose that Spain and the Indies should be given to the archduke, that the Netherlands should go to the Elector of Bavaria, and that the duchy of Milan should be added to the share which the previous treaty had secured to the dauphin. In anticipation that William would object to the cession of Milan, he expressed his willingness to exchange it for Lorraine. In the haggling which followed, the advantage always lay with France. The only concession made by Louis was that he allowed the Netherlands to be added to the archduke's share, in deference to the argument that they would be too weak for self-defence if they were severed from Spain. But this concession stiffened the insistence of the French envoy that there must be some counterbalancing gain to the dauphin. If the maritime powers would not let him have Milan or Lorraine, then he would take in exchange Luxemburg and Navarre. The alternative was worse than the original proposal, and William at last assented to the exchange of Milan for Lorraine. The main provisions of the treaty were settled in June, and its formal signature was only deferred until an effort had been made to procure the adhesion of the Emperor. Meanwhile Louis and William pledged themselves to carry out its provisions if the King of Spain should die before Leopold came to a decision.

The task of commending the proposed partition to the Emperor was naturally entrusted to William, who employed for the purpose, not an Englishman, for no English minister was admitted to the secret, but the Dutch envoy at Vienna. He did his best to exaggerate the demands of France, and to represent the maritime powers as moderating them in the interests of Austria. But the negotiation ended in failure. Leopold would never consent to surrender Italy, and wasted most of the time in suggesting alternative cessions to the dauphin, such as

[1] See above, p. 91.

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the Spanish colonies, to which William could not possibly assent. Any hesitation at Vienna was removed by a diplomatic rupture between England and Spain. The second partition treaty was now known at Madrid, where it excited as much fury as its predecessor had done. In September the Marquis Canales, the Spanish ambassador in London, presented a violently worded protest which he proposed to bring directly before the parliament. William denounced the paper as "insolent and seditious," and promptly ordered the envoy to quit his dominions within eighteen days.[1] Spain retaliated by dismissing Alexander Stanhope from Madrid. This conclusive evidence of Spanish disapproval of the treaty gave the Emperor the desired pretext for doing nothing.

By October, 1699, all hope of a preliminary approval on the part of Austria had been abandoned, and Tallard pressed for a speedy signature of the treaty by the English and Dutch representatives. But unexpected delays took place. Neither William nor Heinsius was absolute master in the States General, and difficulties were raised by the deputies of Amsterdam, the old opponents of the house of Orange. The English ministers were at last taken into the king's confidence in January, and even they offered some criticisms of the terms which they were so tardily asked to approve.[2] Ultimately the treaty was signed by Portland and Jersey on February 21, and by the Dutch plenipotentiaries on March 15, 1700.

William had returned to England in October, 1699, rather earlier than usual, and met his parliament on November 16 with some hope of a more peaceful session than the last.[3] These hopes were not shared by his ablest minister in the lower house. Montagu insisted upon resigning office, and took the auditorship of the exchequer, of which he had in anticipation procured the reversion. His estimate of the situation proved more accurate than that of his master. Somers, the only member of the whig junto who retained the royal confidence, was attacked for his wholly innocent patronage of the ventures of Captain Kidd, who had become a notorious pirate. The old East India Company was rewarded for its constant

[1] Grimblot, ii., 350, 351; Gædeke, *Die Politik Œsterreichs in der Spanischen Erbfolgefrage*, ii., App., p. 28.

[2] Legrelle, iii., 177, 247.

[3] Grimblot, ii., 361.

support of the tory party by a bill confirming its incorporation. William's tolerant attitude in religious matters, which was a necessary accompaniment of his foreign policy, was indirectly censured by a bill for laying new disabilities upon Roman catholics. No papist was allowed to buy land, and any one who failed to take the oaths of allegiance and supremacy with the declaration against transubstantiation was to forfeit his estates to the next of kin who was a protestant. Any person sending a child beyond sea to be educated as a Roman catholic was to forfeit £100 to the informer.

By far the most prominent measure of the session was that concerning the Irish forfeitures. The seven commissioners appointed in the last session consisted of four tories and three whigs. In December the former presented a report which their three colleagues refused to sign. The document was disfigured by obvious partisanship, and by a wilful exaggeration of the value of the distributed estates. The commissioners had even ventured to go beyond their remit, which concerned only the forfeited estates, by dragging in an unfortunate grant from the lands of James II. to the Countess of Orkney, who had been William's mistress. But, even if allowance be made for partiality and exaggerations, the disclosures were sufficiently damaging to the king and his advisers. The commons fastened upon two charges which were really unanswerable. The king had broken his distinct promise to allow parliament a voice in the disposal of the lands, and he had made lavish grants to foreign and undeserving favourites. William was habitually reserved and self-controlled, but he did not attempt to conceal his poignant mortification during the stormy debates which followed the presentation of the report. He made matters worse by attempting to defend what was indefensible. In a message to the house he laid stress upon the need of rewarding those who had aided in saving Ireland. This was a plausible but wholly untenable excuse, because the two largest beneficiaries, who had received between them nearly 250,000 acres, were Portland's eldest son and William's new favourite, Arnold van Keppel, whom he had made Earl of Albemarle. They had demonstrably rendered no services whatever in the suppression of the Irish Jacobites. The commons, exultant in having so good a case, hastened to

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reply that whoever advised this message had endeavoured to create ill-feeling between the king and his people.

The practical outcome of the dispute was the passing of a bill through the lower house for the resumption of the forfeited estates. All these lands, together with those which had belonged to the late king, were to be vested in trustees. All grants of such lands made since February 13, 1689, were annulled, but the grantees were not to be accountable for the revenues during the interval. The trustees were to sell the lands within the next three years, and the proceeds were to be devoted to the payment of debts contracted for public purposes, any surplus going into the English exchequer. To prevent any tampering with the bill by the house of lords, the commons combined it with one granting a land tax of two shillings in the pound. This high-handed abuse of the practice of "tacking" provoked natural resentment, and the majority in the upper house, confident in the approval of the crown, insisted upon making some moderate amendments. The commons declared their action inadmissible, and for a time there was a deadlock. Public excitement rose to a dangerous height, but moderate men saw clearly that neither crown nor lords could venture to reject a measure which commended itself to the strongest national prejudices, dislike of taxation and hatred of foreign favourites. On April 10 the lords finally divided on the question of adhering to their amendments. The abstention of some who had previously been in the majority left the numbers equal, which was equivalent to a negative decision.[1]

The quarrel between the two houses had in the meantime provoked a dangerous spirit in the commons. Although Lord Somers had, on the plea of ill-health, been absent from the woolsack during the recent discussion, he was regarded by the extreme tories as the real adviser both of the crown and of the house of lords. A proposed impeachment was abandoned for an address to the king for his removal from the royal councils for ever. But for once party spirit failed to carry the day, and the motion was defeated by sixty votes. Undiscouraged by this rebuff, the dominant party brought in a new resolution, that no person other than a native of his dominions should be admitted to the king's councils in England or Ireland. This was

[1] Luttrell, iv., 632; *MSS. of the House of Lords*, 1699-1702, p. 142.

agreed to without a division. But William's patience was exhausted. Without waiting to receive this address, he came down the next morning, April 11, 1700, to the house of lords, gave his assent to the resumption bill and other completed measures, and then prorogued the parliament without deigning to make any speech either of praise or blame. To Heinsius he declared that "it has been in truth the most dismal session I have ever had. The members have separated in great disorder and after many extravagances. Unless one had been present, he could have no notion of their intrigues; one cannot even describe them."[1]

[1] Grimblot, ii., 398

NOTE.

The practice of "tacking," of which the two most conspicuous instances occurred in 1699 and 1700 in connection with the Irish forfeitures, was based upon the contention of the commons that the lords could not amend a money-bill. This contention was first distinctly advanced in 1671, when the lords proposed a slight diminution of a proposed duty on sugar. As neither house gave way, the bill was dropped. In 1677 the quarrel was renewed when the lords amended a bill granting money for the construction of ships of war. On this occasion the lords gave way. In 1678 there was a prolonged contest about proposed amendments to a bill of supply for the disbandment of troops. Nothing was settled, because the action of France prevented disbandment for a time; but in the course of the quarrel the commons passed the resolution which has been held ever since to bar the upper house from the right to amend a money-bill. It is remarkable that this blow to the house of lords, together with serious restrictions on the royal power, was the work of the venal assembly which has come down in history as the "pensionary parliament".

CHAPTER XIX

THE FORMATION OF THE GRAND ALLIANCE.

CHAP. XIX. WILLIAM was in an evil plight when he closed the second session of his tory parliament. Abroad he was confronted with the problem of how to enforce a partition treaty which could only be justified if it succeeded in preventing a European war, and which, even then, might be condemned as giving too great a gain to France. Scotland was seething with discontent at the failure of the Darien expedition. In Ireland old sores were about to be re-opened by the recall of the recent grants of land. In England parliament could neither be trusted nor dispensed with. Worst of all, William had no intimate friend to whom he could look for guidance as to his future conduct of English affairs. Portland was not an Englishman, and even Portland had deserted the court out of jealousy of Albemarle. Sunderland, for whose insight into English politics William had a real respect, had no hold upon either of the great parties in the state. He had quarrelled with the whigs, and the marriage of his son to Marlborough's daughter had not gained for him the confidence of the tories. Shrewsbury had accepted the chamberlainship, but he was a very rare attendant at court and was obviously reluctant to undertake serious responsibilities. Somers, whose ability and character William respected, had apparently cooled in his attachment to the king since the services of his intimate friends had been dispensed with, and he had been attacked with peculiar vehemence in the recent session. Romney was a featherhead; and beyond these men there was no Englishman for whose intimate guidance William had the slightest inclination.

Much as he longed to escape from these worries to Holland, he could not depart till he had put affairs in England into better order. But his measures show no clear grasp either of the

source of his troubles or of the remedy for them. While he defied public opinion by giving the garter to Lord Albemarle, he yielded to parliamentary clamour by depriving Somers of the great seal. Jersey became chamberlain, in place of Shrewsbury, and his secretaryship remained vacant. An interview with Seymour inspired the belief that William would now definitely turn to the tories, but he could not make up his mind to so decisive a step. Burnet could see nothing in the king's actions but a trust to blind chance.[1] Early in July, 1700, William at last set out for Holland, leaving the administration to an extremely weak and ill-cemented board of lords justices, of which Marlborough was the only eminent member. Three weeks after his arrival at the Hague came the disquieting news that the young Duke of Gloucester had died on July 30. Anne was now the only recognised successor to the crown under the Bill of Rights. After her the English succession was almost as dubious as that of Spain.

Meanwhile, the second partition treaty had been made public, and it devolved on the contracting parties to obtain the adhesion of the other interested states. France now joined with the maritime powers in bringing pressure to bear upon the court of Vienna. But in the end Leopold, encouraged by reports from his envoy in Spain, persisted in his previous refusal. His decision was not without substantial justification. If Charles II. should make a will in favour of the archduke, and that will should be carried out, then the scheme of partition would be useless. Even if the will should fail, the allies would always be willing to buy the Emperor off at the last minute by giving him the same terms as were offered in the treaty. As a matter of fact, though Leopold did not know it, a secret article stipulated that he should be allowed to accept the treaty within two months from the King of Spain's death. On the other hand, the will might be in favour of a Bourbon prince. If Louis refused it, and he had given definite assurances that he would refuse it,[2] then the will would be inoperative. Should he accept it, the maritime powers would come back to the Austrian alliance, and Leopold always believed that such a coalition could exact its own terms from France.

But it was in Madrid that the most important events took

[1] Burnet, iv., 139.

[2] See Legrelle, iii., 281

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place in 1700. The first result of the disclosure of the partition treaty was to strengthen the Hapsburg candidature. The queen and Harrach made up their quarrel, and were confident that they could obtain from the king a will in favour of the Archduke Charles. On the other hand, Harcourt declared that the treaty was absolutely fatal to his plans, and induced Louis to consent to his recall. But the ultimate result proved that both Austrian exultation and French despondency were premature. The Emperor, always impecunious and dilatory, took no steps to convince the Spanish people of his power to defend his son's pretensions. The English king, who was regarded, not altogether correctly, as the principal advocate of partition, was notoriously weakened by the cutting down of his army and by parliamentary opposition. On the other hand, Louis was absolute master of the strongest military force in Europe, and the recent war had proved his ability to hold his own against a powerful coalition. Steadily the conviction gained ground in Madrid that the only way to prevent partition was to detach France from the maritime powers by accepting a Bourbon king.

Charles II.'s mind was almost as feeble as his body, and he was a mere puppet in the hands of those who surrounded him. Cardinal Portocarrero, the enemy of the queen and the leader of the clerical party, played on the king's superstitious fears, surrounded him with priests, and succeeded in excluding the queen from his bedside. In order to dispel Charles' lingering scruples about disinheriting his Hapsburg relatives, an adroit appeal was made to the pope, Innocent XII., who pronounced in favour of a Bourbon succession as the only means of preserving Spanish unity.[1] The dying king gave way and on October 3 (new style) signed his last testament. On the ground that the Spanish monarchy must never be divided or united with another crown, and that the renunciation of Maria Theresa had only been made to avoid such a union, the dauphin's second son, Philip of Anjou, was declared legitimate heir to the crown. If that prince should ever inherit and accept the crown of France, Spain was to pass to his younger brother, the Duke of Berry, and if he too should succeed in France or

[1] Legrelle, iii., 373. Compare Klopp, viii., 510, 635, 636, who contends that the published letter from the pope is a forgery.

die childless, the next heir was to be the Archduke Charles, and after him the Duke of Savoy. This was the last act of Charles II., whose miserable life came to an end on November 1, 1700.

After the King of Spain's death the will was formally opened, and notification of its contents sent to other courts. In England and elsewhere men jumped to the conclusion that this was what Louis XIV. had been scheming for all along, that the partition treaties had been merely a blind, and that the maritime powers had been egregiously duped. This was a very natural view, it has acquired the force of obstinate tradition, and it still has its champions among historians. But in its extreme form it is assuredly untenable. If the will had been drawn up six months earlier, it would be impossible to deny the deliberate share of France in bringing it about. But Harcourt had abandoned all hope of a Bourbon succession in the previous April, and had retired from Madrid. What really produced the will was the unpopularity of the queen, the desire of the pope and clergy that the Spanish monarchy should remain united and devoted to the Roman catholic cause, and the pride of the Castilians, who resented partition as a blow to their own dignity. The contribution of France was the feeling of fear which Louis inspired in his neighbours. That there was no more direct intervention is proved by the anxious uncertainty in Madrid as to whether Louis would or would not accept the will.

From Madrid the centre of interest suddenly shifted to the French court. Recent despatches had given Louis a reasonable assurance as to the purport of Charles II.'s will. And it is quite possible that he had already made up his mind as to his future course. But he had not taken his ministers into his confidence, and he acted as if the question was still an open one. On November 10 (N.S.) the Spanish envoy arrived at Fontainebleau, and two days later a council of state was held. Some of the councillors were in favour of adherence to the partition treaty. But Louis himself and Torcy, his foreign minister, were for accepting the will, and this resolution was adopted.[1] Four days later, with a characteristic parade of ceremony, the

[1] Contemporary accounts of the discussion are hopelessly divergent, but that of Torcy is on the whole the most trustworthy.

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Duke of Anjou was presented to the court at Versailles as Philip V. of Spain.

The traditional criticism of this momentous decision is that the partition treaty increased the power of France, while the will aggrandised the house of Bourbon, and that Louis preferred the interests of his dynasty to those of his country. In a sense this is true, but it suggests an inadequate, and even a misleading, estimate of Louis' motives. While it would be absurd to accept as convincing the excuses which Louis himself made to the maritime powers,[1] it is equally impossible to assert that he never intended to carry out the partition treaty. Circumstances had undoubtedly changed since its conclusion. The argument upon which Louis laid the most stress, the non-acceptance of the Emperor, was certainly the weakest. His refusal had been anticipated, and had even been provided against in the secret clause which gave him two months after Charles II.'s death in which he might accept the treaty. On the other hand, the treaty had failed to commend itself to the general opinion of Europe. Not one of the various states whose adhesion was to be invited had joined the contracting powers, and in England especially its provisions had been universally condemned. There was some force in the contention that, as matters stood, war would be necessary to enforce the partition, and that in such a war Louis could expect little assistance from England. Moreover, if both the Bourbon princes refused the proffered inheritance, the Archduke Charles would at once become the lawful heir, and would have all the sympathies of the Spaniards on his side as the champion of unity. Louis would have to make war against the very people who had offered his grandson a crown. It was not a mere subterfuge to maintain that in accepting the will Louis was carrying out the spirit, though not the letter, of the partition treaty. Its avowed object was to maintain peace, but in the now altered circumstances peace might be better secured by the accession of a younger Bourbon prince in Spain than by a strict adhesion to previous agreements.

For the moment everything seemed to favour Louis XIV. Philip V. was proclaimed without opposition, not only in

[1] See the memorial to the Earl of Manchester and the instructions to the Count de Briord, in Grimblot, ii., 463-79.

Madrid, but also in Brussels, Milan, Naples, and Sicily. In Germany Louis gained over the Elector of Bavaria and his brother the Archbishop of Cologne. In Italy the support of the Duke of Savoy was purchased by the choice of his daughter as a bride for the young King of Spain, and an alliance with Savoy secured the easy passage of French troops into Lombardy. Thus Louis seemed to be amply armed if any steps should be taken to assert the claims of the Austrian archduke.

But there were at least two princes in Europe, the Emperor and William III., who were not likely to be convinced either by specious arguments or by the stronger logic of accomplished facts. Leopold was the more directly and immediately affected. He had refused the partition treaty in the hope of gaining the whole inheritance for his son; and now both the whole and the proffered part seemed to be lost. As soon as the first feelings of dismay were dispersed, Leopold and his advisers set themselves to concert defensive and aggressive measures with a resolute energy which is in marked contrast with their previous vacillation. The primary need was to secure Milan, and for this purpose an army was hastily collected under the command of Eugene. As to the Hapsburg claims to the Spanish crown, Leopold saw clearly that they could not be enforced without the help of the maritime states. For the last two years feeling in Vienna had been very bitter against them, but the Emperor was confident that common dangers would revive the old alliance. He admitted that William could hardly renew the secret agreement of 1689, but he sent Count Wratislaw to London to obtain the best terms possible for the archduke. Upon William's answer depended the momentous question whether the inevitable war should be a mere local war in Northern Italy or a great European struggle.

William had returned to England rather earlier than usual in 1700. Before he quitted Loo he had dimly grasped the possibility of being duped in the matter of the partition treaty,[1] but had apparently dismissed it from his mind. He was at Hampton Court when the news arrived of Charles II.'s death, and of the will in favour of the Duke of Anjou. This did not discompose him: on the contrary he regarded it as almost certain to compel the Emperor's assent to the treaty.[2] On

[1] Grimblot, ii., 442. [2] *Ibid.*, p. 453.

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November 15, however, all such illusions were dissipated by the arrival of a courier bringing a report of the French council meeting, and also the memorial in which Louis defended his action. On the next day William wrote to Heinsius one of the longest and perhaps the most important of his confidential letters. William was not an accomplished letter-writer, but this document illustrates so vividly his political insight, and gives so distinct a clue to his future policy, that it is worth while to quote some of his halting but expressive sentences.

"I doubt not but this unheard-of proceeding of France will surprise you as much as it did me. I never relied much on engagements with France; but must confess, I did not think they would, on this occasion, have broken, in the face of the whole world, a solemn treaty, before it was well accomplished. The motives alleged in the annexed memorial are so shameful, that I cannot conceive how they can have the effrontery to produce such a paper. We must confess we are dupes; but if one's word and faith are not to be kept, it is easy to cheat any man. The worst is, it brings us into the greatest embarrassment, particularly when I consider the state of affairs here; for the blindness of the people here is incredible. For though this affair is not public, yet it was no sooner said that the King of Spain's will was in favour of the Duke of Anjou, than it was the general opinion that it was better for England that France should accept the will than fulfil the treaty of partition. I think I ought not to conceal this from you, in order that you may be informed of the sentiments here, which are contrary to mine. For I am perfectly persuaded that, if this will be executed, England and the Republic are in the utmost danger of being totally lost or ruined. I will hope that the Republic understands it thus, and will exert her whole force to oppose so great an evil. It is the utmost mortification to me in this important affair, that I cannot act with the vigour which is requisite, and set a good example; but the Republic must do it, and I will engage people here, by a prudent conduct, by degrees, and without perceiving it." The letter goes on to speak of William's relations with the Emperor. Obviously the precise partition fixed in the treaty is no longer possible. If the Emperor can gain anything, it must be the Italian provinces, and William expresses the hope that Leopold will immediately

make himself master of Milan, and endeavour to get Naples and Sicily to declare for him. If Italy can be won, it will then be possible to do something in the more difficult problem of the Netherlands.[1]

From this letter and from the deliberations at Vienna it is obvious that there was from the first a substantial basis of agreement between William and Leopold, and that both were feeling their way towards the conclusion of the Grand Alliance. Since the treaty of Ryswick William had been tempted to depart from his inbred policy of antagonism to Louis XIV., and to seek peace and security in a good understanding with France. The experiment was a disastrous one, and brought upon him the one great diplomatic humiliation of his career. The policy of the partition treaties, whether sound or not in itself, had been condemned by failure. William was now to revert, and by his action was to commit England for nearly half a century, to the earlier and more congenial policy of alliance with Austria in order to curtail the power and pretensions of France.

It was easy for William to decide that a new partition was imperative, and it was not impossible for him, by the exercise of his prerogative, to conclude a treaty for that purpose with the Emperor. But neither his decision nor even the treaty would have much practical importance as long as his views were diametrically opposed to those of his English subjects. If he could have gone back to the days of a whig ministry and a whig house of commons, his foreign policy would have been comparatively easy. The whigs did not love the partition treaty, but still less did they wish to see the Bourbons masters of the Scheldt, of the West Indies, and of the Mediterranean. The tories, on the other hand, were inclined to regard the will of Charles II., not merely as a lesser evil, but almost as a positive good. And the tories were not only the dominant party, but their support was absolutely necessary to enable William to secure the protestant succession in England. A purely whig settlement, even if it had been possible, would have driven their opponents farther and farther in the direction of Jacobitism. Thus the king, at the very moment when his foreign interests seemed most hostile to toryism, found it

[1] The letter is in Grimblot, ii., 466-69.

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necessary to form what may be regarded as practically a tory administration. Rochester and Godolphin were both recalled to office. But William refused to meet again the parliament which had flouted him on the Irish forfeitures, and a dissolution in December was followed by a general election. It is difficult to see what particular advantage William expected to gain from this penal dissolution. Nothing had as yet happened to bring public opinion over to his side, and the new house of commons was at least as inclined to accept Philip V. of Spain as its predecessor would have been.

The task which William deliberately undertook at the end of 1700 may be compared with that which had been forced upon him in the previous great crisis of his life. In 1688 he had to convince the Dutch republic that his expedition to England would not endanger its liberties, and his Roman catholic allies that it would not be ruinous to the interests of their faith. Now, in later life and in declining health, he had to persuade his English subjects that a settlement of the Spanish succession, which they were inclined to welcome, was really disastrous, that the young King of Spain, so far from becoming a good Spaniard, would remain in tutelage to his grandfather, and that French influence in Spain would be employed against the independence of Holland, against the protestant interest of England, and against the commerce of both countries. That he had successfully accomplished his task in 1688 was primarily due to the ill-judged measures of Louis XIV., and he was to owe a similar triumph in 1701 to the unintentional aid of the same monarch.

Before the publication of Charles II.'s will, Louis had shown a good deal of prudence and moderation. Now, as if intoxicated with the ease of his triumph, he threw all such considerations to the wind. He was well aware that peace could be purchased at a moderate price. The negotiations with regard to the first partition treaty had distinctly formulated the conditions upon which the maritime powers would have been willing to recognise a Bourbon King of Spain. In existing circumstances they would probably be satisfied with less than they had then demanded. But there was a certain indispensable minimum. Security must be given that the crowns of France and Spain would never be united; the political inde-

pendence of the Dutch must be guaranteed; concessions must be made to the commercial interests of both Dutch and English; and some slight compensation must be found for the Austrian Hapsburgs. Not one of these conditions was Louis now willing to fulfil. No sooner had Philip V. started for Madrid than the French king issued letters patent, in which he recognised his grandson's eventual right of succession in France. Instead of parading the purely Spanish character of Philip's rule in the Netherlands, Louis accepted a mandate from Madrid authorising him to expel the Dutch garrisons and to occupy the barrier fortresses with French troops. This action intimidated the Dutch into recognising Philip V., but it could never conciliate them. So far from respecting the commercial susceptibilities of the maritime states, Louis showed a manifest intention to obtain for France the exclusive profits of Spanish trade. A company was formed in Paris to trade with Mexico and Peru, and another at St. Malo to supply the Spanish colonies with slaves. The woollen trade with Spain was restricted to French merchants. CHAP. XIX.

These acts rendered absolutely futile the negotiations at the Hague by which Louis was endeavouring in March and April, 1701, to convince the maritime powers of his desire for peace. Their demands for a Dutch barrier, for continued trade with Spain and its colonies, and for an assurance of Spanish independence of France, he declared to be "insolent and shameless". When they further demanded compensation for the Emperor and the admission of an Austrian envoy, the conference was broken up, and the last prospect of peace came to an end. Louis was as blind as he was obstinate. If he had foreseen the approaching war, he should have attacked his enemies before they had time to make preparations and to concert measures with each other.

While Louis, in his excessive self-confidence, was playing into William's hands, William himself showed unusual dexterity in dealing with the difficult parliamentary session which opened on February 6, 1701. The balance of parties in the commons was revealed by the election of Robert Harley as speaker. Harley had been brought up as a dissenter and a whig, but he had transferred his allegiance to the tories, and had led them in the last parliament with notable skill and courage on the question of reducing the standing army. On the 11th William

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delivered to the two houses a speech of studied moderation. He commended to their consideration the two pressing questions of making provision for the protestant succession and of guarding against any dangers which might arise from the acceptance of a Bourbon king in Spain.

As the tories would not yet own the Prince of Wales, there could be little doubt as to the choice of an eventual successor. Sophia, widow of the first Elector of Hanover, and daughter of the Elector Palatine Frederick and Elizabeth Stewart, had been suggested in the discussion on the Bill of Rights, and she was the nearest protestant in the direct line from James I. But before a successor was named, it was decided to fill up the gaps left in the Bill of Rights by making further provision for constitutional liberties. The tories, when dealing with foreign and non-hereditary rulers, could adopt the language and the principles of the whigs. The judges obtained security of tenure and were only to be removable on address from both houses of parliament. No future king might attempt to bar an impeachment, as Charles II. had done in Danby's case, by granting a pardon before trial. The functions of the privy council, which had been usurped by small and irregular cabinets, were to be restored to the larger body, and responsibility was to be secured by compelling councillors to sign the resolutions adopted on their advice. The exclusion of placemen and pensioners from the house of commons, so long and vainly demanded by the tories, was now inserted in the succession bill. Other clauses were scarcely veiled censures upon William. Future sovereigns were not to retain their particular brand of protestantism, but were to join in communion with the established Church. They were not to quit the British islands without consent of parliament. There were to be no annual sojourns at Herrenhausen as there had been at Loo. England was not to be involved in any war for the defence of territories not belonging to the English crown, as, by implication, it had been under William. Finally—and here the sting was most obvious—persons of foreign birth, even though naturalised, were not to hold grants of lands, nor to be admitted to the privy council, to parliament, or to civil or military office.

After all these provisions had been made, the house assigned to the Electress Sophia and her heirs, being protestants, the

right of succession after Anne and after any descendants either of Anne or of William. The provisions of the Bill of Rights for the exclusion of papists and of persons who should marry papists were re-enacted. William had displayed neither resentment nor annoyance while the commons sought to cast discredit upon his past administration and to limit the prerogative of the crown. What he wanted was a settlement of the succession which should be as contrary as possible to the interests and desires of France. So long as this was done, he cared little for the other provisions, which only came into force with the accession of the new dynasty and might before then be amended or repealed. The house of lords, which he might have influenced, accepted the bill as it had left the lower house, and on June 12 what is commonly called the Act of Settlement received the royal assent.

By far the larger part of the session was devoted to the comparatively unfamiliar subject of foreign politics, which the king had hitherto kept in his own hands. William's policy is expressed in the letter to Heinsius quoted above, and he carried it out with rare skill and self-control. He acknowledged that it was the supreme task of his life, and he was determined that its execution should not be marred by any hastiness or want of temper. To lull suspicion he waived the treaty-making prerogative of the crown and abstained from the least semblance of dictation. So far did he carry concealment of any aiming at war that he actually acknowledged Philip V. At the same time he communicated to parliament all that took place in the conference at the Hague, all the aggressive acts and irritating words of Louis, all the appeals and memorials from the States General, and on occasion some evidence of Jacobite hopes and intrigues. By these means he hoped to convert the commons from their original eagerness to maintain peace at any price to at least an admission that war might be forced upon the country.

And, on the whole, though the task was long and wearisome, William achieved a remarkable amount of success. On February 14, in answer to the king's speech, the commons would go no further than an undertaking to support him in such measures as were necessary for the interest and safety of England, the preservation of the protestant religion, and the peace of Europe. By May 9 a notable advance had been made.

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This notable change in the tone of the house of commons was accompanied and largely brought about by a still greater change in popular opinion. The old feeling of antagonism to France, which had been weakened by the sense of hostility to a Dutch king, was once more in the ascendant. The first notable expression was given on May 8 in the famous petition from the grand jury and freeholders of Kent, who implored the commons that their loyal addresses might be turned into bills of supply, and that the king might be enabled "powerfully to assist his allies before it is too late". The house, furious at an attempt to dictate to them from outside, voted the petition to be scandalous, insolent, and seditious, and ordered the five gentlemen who presented it to be taken into custody. But this high-handed action only served to irritate men who deemed the right to petition to be a fundamental privilege of freemen. Other bodies followed the example of the Kentish men. Special attention was attracted by a memorial signed "Legion," which bitterly denounced the commons for attacking the

[1] Klopp, iv., 272.

partition treaty on the ground that it gave too much of the Spanish dominions to the French, while they did nothing to prevent the French from taking possession of the whole. The tories might be annoyed at these reproaches, but they could not remain insensible to them, and Harley's allusion to a possible war was a tardy and somewhat clumsy effort to set his party right with public opinion.

The satisfaction with the session which William expressed in his closing speech was after all only comparative. No such supplies had been given him as would be needed for a war, and his success, such as it was, had not been gained without a good deal of serious friction. The discussion of foreign policy had brought up the question of the recent partition treaty, which was vehemently condemned in the house of lords. The Duke of Devonshire declared that its authors ought to answer for it with their heads. As the king could not be directly censured, the attack was aimed against Portland. In the defence which the king allowed him to make he tried to share the blame with the English ministers to whom the treaty had been communicated. From their statements it appeared that they had known nothing of it until it was so far advanced that their objections were utterly futile. It was unanimously decided to impeach Portland for high crimes and misdemeanours. Matters however became worse when he, quite needlessly, drew attention to the first partition treaty, on which occasion Somers, with at any rate the tacit consent of Orford and Montagu, had affixed the great seal to blank powers. Somers now produced the letter which proved that he did not altogether like the treaty, but this made his action worse instead of better. On April 14 the commons decided to impeach Somers, Orford, and Montagu, who was now Viscount Halifax. Passions were strongly stirred by the discovery that the king had employed foreigners to negotiate treaties affecting the vital interests of England, and that ministers had not had the courage to make an effective protest. The second treaty had been signed while parliament was actually sitting, and no one had even suggested that it should be consulted in the matter.

The charge against the accused was a serious one, and they had no real defence except the contention, deliberately rejected in Danby's case, that they had blindly obeyed the king. For-

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tunately for them the commons spoiled a good case by their excess of party spirit. In the first place they restricted their attack to the whig leaders, and took no steps against tories like Marlborough, who was a party to the second treaty, and Jersey, who had actually signed it. Then, instead of limiting their accusation to conduct which was indefensible, they hunted up all the old rumoured wrong-doings, such as Somers' connexion with Captain Kidd, in which defence was easy. Without waiting for a trial, they addressed the king to dismiss the accused from his council and presence for ever. The lords promptly presented a counter-address, that this would be to condemn men before their guilt had been proved. Finally, the commons denied the right of the impeached peers to take part in each other's trial. The lords again objected that the right of jurisdiction was inherent in a peerage, and that it could not be forfeited without taking a mere accusation to be a proof of guilt. The quarrel between the two houses became so embittered that the exasperated commons failed to appear in support of their charges on the prescribed day, and the impeachments were dismissed. This was denounced in the lower house as a gross denial of justice and an attack upon their privileges. The strife was only ended by the prorogation on June 28.

In spite of its gradual change of tone on foreign affairs, the parliament had completely alienated public opinion, which was beginning to clamour for another dissolution. But William was in no hurry to gratify it. Although his gracious reception of the impeached lords seemed to show a desire for reconciliation with the whigs, the prorogation was not followed by any ministerial changes. Rochester and Godolphin, who had joined in the attack upon the partition treaties, retained their offices, and the latter was included in the list of lords justices during the king's absence. William himself was eager to go to Holland, and there to complete the alliance with the emperor and the Dutch republic. He had so completely made up his old quarrel with Marlborough that he selected him to command the English troops in Holland, and also to act as plenipotentiary in the negotiations at the Hague.[1] Few of William's acts show greater wisdom and foresight.

It did not prove difficult to arrange the terms of the new

[1] Luttrell, v., 58.

Grand Alliance. The Emperor desired the maritime powers to support the Hapsburg claim to the whole Spanish dominions. He justified his demand by urging that anything less would alienate those Spaniards who were already inclined to the Austrian cause. But William and Heinsius were determined to avoid anything like an aggressive war, and to undertake nothing but what was feasible. Both were to some extent bound by their recognition of Philip V. as King of Spain. All that they could offer to the Archduke Charles was some "satisfaction" for his rejected claims, and they suggested that this should consist of Milan and the Netherlands. But Marlborough pointed out that English interests in the Mediterranean demanded the exclusion of the Bourbons from Naples and Sicily. This was so obviously in accord with English opinion as expressed in the criticism of the partition treaty, that it was agreed to add them to the archduke's share. Then Marlborough and Heinsius demanded that the English and Dutch should be allowed to keep any conquests which they might make in the western seas. To this the Austrian envoys rather reluctantly acceded. On these lines a draft treaty was completed by the end of July and was sent to the various governments for their approval.

Meanwhile hostilities had actually begun in Italy. In spite of the defensive measures of the Duke of Savoy and Catinat, Eugene succeeded in forcing a passage through the Alps into Lombardy, and defeated the French in a small encounter at Carpi. Louis was so chagrined at this check that he sent Villeroy to supersede Catinat, and instructed him to risk an engagement. The first battle of the war was fought at Chiari, between Milan and Brescia, on September 1, and ended in the complete rout of the French. Eugene's victory, which was welcomed in England and Holland with as much enthusiasm as if it had been won by their own troops, removed all difficulties in the way of the Grand Alliance, which was signed at the Hague on September 7 (N.S.). The allies demanded a pledge that the crowns of France and Spain should never be united, the cession of the Netherlands and the Italian provinces to the Hapsburg claimant, and the grant of political and commercial security to the maritime powers. Two months were to be allowed to the Bourbon kings after the formal

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ratification. If their answer should be in the negative, then the allies were to enforce their demands with arms.

The conclusion of the Grand Alliance was not in itself a declaration of war. If Louis XIV. had had nothing to consider but the interests of France, he might have been willing to discuss the proffered terms. But his acceptance of Charles II.'s will bound him by an implied compact to maintain the unity of the Spanish dominions. He could not now consent to a scheme of partition without jeopardising his grandson's position in Madrid. Louis himself, however, put an end to all possibility of avoiding a general war by an act which followed hard upon the coalition of his enemies. James II.'s health had for some time been failing, and on September 16 (N.S.) he died at St. Germain. Beforehand Louis had come to the momentous decision that he would acknowledge the young James Edward as his father's successor, and he had communicated this as a consolation to the dying king. This promise, as magnanimous as it was imprudent, was carried out, and James III., now in his fourteenth year, was received at Versailles with all the ceremony due to a brother monarch. William was at Loo when he heard the news that a rival king had been recognised at the French court. He at once ordered the English envoy to quit Versailles without asking for a farewell audience. The Dutch republic, as a signatory to the peace of Ryswick, protested against Louis' act as a breach of that treaty, and recalled its envoy from the French court. In consequence of this rupture, no formal communication of the treaty of September 7 was made to Louis, and his consent to its proffered terms was never asked for.

Meanwhile William, more than ever convinced that war was inevitable, was engaged in supervising preparations for the defence of Holland. He returned to England at the beginning of November. About the same time Louis received from an indirect source a copy of the treaty between the Emperor and the maritime powers. He could not fail to appreciate the significance of the fact that the stipulated overtures had not been made for his assent to the proposed conditions. It was impossible for him to approach his opponents, and his only hope of continued peace lay in intimidating them into acquiescence. In October English imports into France were subjected to

heavy duties and in some cases to absolute prohibition. And in November French troops occupied Cologne in accordance with Louis' treaty with the elector. This was a threat to the Dutch, whose territory had been invaded by way of Cologne in 1672, and it was an overt defiance of the Emperor's authority. Leopold wished for an immediate declaration of war, but William insisted upon delay until the Dutch preparations were completed, and until the English parliament was definitely pledged to fulfil the obligations of the recent treaty. CHAP. XIX.

In England the spirit of antagonism to France, which had been steadily growing since the days of the Kentish petition, was prodigiously increased when that country seemed to claim a right to dictate the choice of an English ruler, and took actual measures to damage English trade. The city of London gave the lead by drawing up the first of a long series of loyal addresses to the king. William had for some weeks been considering the arguments for and against a dissolution, but all hesitation was removed by the striking demonstration of public opinion which greeted him on his return. On November 11 a proclamation was issued dissolving parliament and ordering a general election. Godolphin expressed his disapproval by resigning his post at the treasury. But Rochester, who hurried back from Ireland to take part in the new parliament, refused to follow his colleague's example, and William was too cautious to provoke party strife by effecting a general displacement of ministers. The course of events, however, was inevitably impelling him towards an alliance with the whigs. Before the session was a month old, Manchester had become secretary of state and Rochester had ceased to be lord-lieutenant of Ireland. Godolphin's place as first commissioner of the treasury was filled by the whig Earl of Carlisle.

One dividing and corrupting force, which had been prominent in the two last elections, was at this time removed. The feud between the two East India companies, which from the first had been as much political as commercial, had proved damaging to both. It had produced a deadlock in Indian trade, had reduced the shareholders' dividends, and had seriously lowered European prestige among the natives. The extremity of the evil had produced its own cure. Negotiations for union had been going on for some months and were brought to a

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successful conclusion on December 24, 1701.[1] But, though there was a less lavish expenditure than before, the elections were hotly contested in the midst of great national excitement. Contrary to the sanguine expectations of whig politicians, they did not bring about that complete revolution in the balance of parties which might have been effected if the constituencies had been more independent. Harley was re-elected speaker by a majority of four votes. The tories retained the same preponderance when Colepepper, one of the Kentish petitioners, was defeated on an election petition, and when it was formally resolved that it was a breach of privilege to publish any outside criticism of proceedings in the house of commons. On the other hand, the whigs were strong enough to prevent a renewal of the impeachments and of the quarrel between the houses to which they had given rise. It was affirmed by a majority that there had been no denial of justice by the lords in the last parliament.

In ordinary circumstances, the remarkable equality between the two parties, to which these proceedings testify, might have given rise to serious difficulties. But on the really vital question of foreign policy whigs and tories were for the moment far less divided than they had been in the last parliament. Toryism had saved itself at the general election by falling in with the prevalent trend of public opinion, and by abandoning its previous antagonism to a continental war. Thus William for once found in parliament something like the patriotic unanimity which he desiderated in his opening speech. This speech, the longest and most polished of his public utterances in England, is said to have been composed with the assistance of Somers.[2] If this be true, it is a notable illustration of the cavalier way in which William treated his official advisers; and the speech itself is not unworthy of its associated authors. While laying special stress upon the insulting and menacing action of Louis in acknowledging a legally excluded papist as English king, William went on to point out how completely the French king had made himself master of Spain, and how ruinous his ascendency must prove to English commerce. The treaties which he had concluded were to be laid before parliament, which was asked to give him the necessary

[1] Luttrell, v., 120, 123. [2] Burnet, v., 533, note.

means to carry them out. Finally he implored his hearers to lay aside their differences and so to "disappoint the one hope of our enemies". CHAP. XIX.

The parliamentary measures adopted in January and February, 1702, constitute a remarkable response to the king's appeal. The commons carried a bill of attainder against the young Stewart prince for having assumed the royal title, and all who corresponded with him or accepted employment under him were declared to be guilty of treason. A new oath was imposed upon all members of parliament, civil and military office-holders, clergy, teachers, and lawyers. They were to abjure the claims of the so-called James III. and to pledge their support to the succession as settled by act of parliament. More value was attached by William to the resolution of the commons to provide for the maintenance of 40,000 sailors and of the same number of soldiers. This enabled him to furnish the assistance stipulated by the Grand Alliance. He was peculiarly gratified by a proposition, originally moved by Seymour, that the allies should be pledged to make no treaty with France until satisfaction had been given to England for the insult inflicted in the recognition of "the pretended Prince of Wales". William undertook that the suggestion should receive immediate attention, and a clause to this effect was actually accepted by the Emperor and the Dutch States General. Thus England acquired a direct interest in the approaching war, in which it would take part as a principal, and not as a mere auxiliary of the house of Hapsburg.

William had lived long enough to be assured that his last great task, the carrying of England with him into the struggle against Bourbon ascendency, had been successfully accomplished. But he was not destined to take any personal part in the war for which he had prepared the way. His health had never been good, and had recently given cause for serious anxiety. When he was last at Loo, it was confidently rumoured in the courts of Europe that he would never be able to return to England. The actions of Louis XIV. were not uninfluenced by the expectation that his most formidable enemy would speedily be removed. But in the late autumn there was an unexpected improvement. The swelling in the legs, which had been a disquieting symptom during the summer, almost

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disappeared, and William was able to resume his favourite amusement of hunting. But his passionate desire for exercise, itself a sign of disease, was destined to have fatal results. On February 21, as he was riding from Kensington to Hampton Court, his horse stumbled, and he was thrown. His collar bone was found to be broken. After it had been bandaged, he imprudently rode back to Kensington. For some days no great anxiety was felt. The bone seemed to be mending, and William was able to leave his bed for some hours daily. On the 28th he sent a message to the commons urging the consideration of measures for the union of England and Scotland. On March 2 he was able to walk about and converse with his courtiers. As the doctors would not allow him to go to Westminster, he authorised commissioners to give the royal assent to several completed bills. But that evening a sudden chill gave rise to feverish symptoms, and William had to return to his bed. The doctors were still confident of his recovery, but his reserve of strength was insufficient. On Saturday, the 7th, he became conscious that the end was approaching. Late in the afternoon he was sufficiently revived to sign a new commission for the approval of the abjuration and other bills. The two houses decided to sit on Sunday morning in order to receive the commissioners. William now took leave of his friends, including Portland, who arrived to find that power of articulate speech had gone. In the morning of the 9th the king breathed his last. In his dying hours he displayed the same stoical courage which had carried him through so many toils and dangers.

William III. was the most eminent, though by no means the most attractive, of the great family from which he was sprung, and of which the main line ended with him. As a politician, he was at least the equal of William the Silent, and he played his part upon a wider stage. As a soldier, he was not inferior to Maurice of Nassau and Frederick Henry, and he held his own against more brilliant antagonists than they ever had to face. But, although William loved the camp and the battle-field far better than the council-chamber,[1] it is on his success as a statesman that his fame must ultimately be

[1] For an interesting estimate of William's character, see Barozzi e Berchet, *Relazioni Venete*, Serie iv., *Inghilterra*, p. 503,

based. Among statesmen he is entitled to a place beside men like Richelieu and Bismarck, who have vitally affected great issues of European politics. But in one important respect he differs from most of his compeers. Their work was constructive, because it was associated with a strong and growing national force, and because the aims which guided their action in diplomacy and in war were great national aims. The work of William III. in comparison was mainly negative and destructive: his task in life was to save Europe from the overweening ambition of Louis XIV. Of the two states with which he was associated, the Dutch Republic, to which he was genuinely attached, had come to the end of its brief period of brilliant distinction William himself contributed to its decline by teaching it to depend on the assistance of others rather than on its own exertions. In England, which was on the threshold of a period of unparalleled success and expansion, he was to the last a rather unsympathetic alien. CHAP. XIX.

It is this which makes it so difficult to estimate William's merits as a king of England. In the long line of English rulers he has had no superior in intellectual power, in industry, in width of outlook, and in the choice of fitting means to gain his ends. Yet he cannot be reckoned among the greatest of them for the simple reason that he was not an Englishman. At no time in his life did distinctively English interests occupy the first place in his mind. He came to England and he acquired the English throne, not out of mere personal ambition, but because in no other way could he achieve the objects which he had set before himself. By placing England in the forefront of the opposition to France, he paved the way for its future greatness; and on no occasion could he be reasonably accused of deliberately sacrificing English interests. But purely English affairs, and the party politics which were to be so prominent in the national life, were distasteful to him. It was not that he was in any way ill-fitted to deal with them. Charles II., who rather enjoyed the work, did not steer his way more ably or more successfully through the pitfalls of parliamentary opposition than did William in 1701. The task, however, was uncongenial, and he only schooled himself to perform it because he could not otherwise hope to make the Grand Alliance efficient. England made great progress under William: the

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foundation of the Bank of England and the reform of the currency are epoch-making events in its economic history; but little of the credit can be assigned to the king. He had at least two eminent men, Somers and Montagu, in his service, but the very fact that they were English seemed to prevent his giving them his complete confidence. It is impossible to read the history of the negotiations of the peace of Ryswick and of the partition treaties, without feeling that William treated England and Englishmen as no native king could have done. His private funeral at Westminster on April 12, though denounced by Burnet as "scarce decent, so far was it from being magnificent," was an unconscious and somewhat ungracious censure of his failure to identify himself with the people among whom he was buried. He had ruled ably, and on the whole wisely, but with an air of patronising aloofness which courted opposition, and with a complete absence of that instinctive sympathy which is the only passport to a nation's love.

CHAPTER XX.

LITERATURE AND SCIENCE.

THE Restoration period cannot rank among the great creative epochs of English literature. With some few notable exceptions, the writers of the later half of the seventeenth century, and especially the poets, must be placed considerably below the highest class. The age was one of cleverness, rather than of genius. Yet, from the historical point of view, the literature of the period has peculiar interest and importance. It represents, with wholly unusual fidelity and accuracy, the spirit of the age. If the authors fall short of the first rank, so do the politicians, and they fall short in the same way. In the violent reaction against the intolerable restraints of puritanism, high ideals had fallen into discredit. After Clarendon, the representative men in political life are Shaftesbury, Halifax, Danby, Sunderland, Godolphin, Somers, and Montagu. These are all men of marked ability, though of varying degrees of rectitude. But even the most reputable among them, Halifax and Somers, are hardly to be reckoned among great constructive statesmen. They, like their less trustworthy colleagues, look upon politics primarily as a game in which office and influence are the prizes to be played for. Their aims are neither low nor discreditably selfish, but they lack the vigorous public spirit and the devotion to principle of men like Strafford and Falkland, or Eliot, Pym, and Hampden. Clarendon, in politics as in literature, is a survivor from a former age, and is never in harmony with the men who rise to prominence after the Restoration.

What has been said of the politicians may also be said about the men of letters. With two notable exceptions, Milton and Bunyan—and Milton really belongs to a past age—they are men of artifice rather than of conviction, journalists

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who play with words as with counters, rather than writers with an overpowering sense of a message to convey to their generation. They are content to follow, and have little desire to guide, the currents of public opinion. The representative man of letters of the age is John Dryden, whose success in diverse branches of literature entitles him to a place among the greatest of English authors. And Dryden's literary career supplies the most cogent illustration of the responsive and almost servile character of the great bulk of contemporary literature. It is needless, and probably unfair, to accuse him, as some critics have done, of deliberate dishonesty and time-serving. But it is impossible to overlook the significant facts that, in spite of his puritan ancestry, he welcomed the Restoration with *Astræa Redux*, that he voiced popular exaltation at the time of the first victories over the Dutch in the *Annus Mirabilis*, that he wrote his play of *Amboyna* when the Dutch were again unpopular, that he produced *The Spanish Friar* when anti-papal prejudice was at its height, that he scourged the falling whigs in *Absalom and Achitophel* and *The Medal*, that in *Religio Laici* he glorified the Anglican Church at the time of its restored ascendency, and that *The Hind and the Panther* was written and the poet himself became a Roman catholic when the acceptance of Romanism was the one passport to favour at the court of James II. Dryden's apologists are entitled to make the most of his refusal to curry favour at the Revolution, of his contented acquiescence in the loss of office and emolument, and of the wholly creditable return to independent literary production in his last years. But nothing can remove or weaken the cumulative effect of his previous record.

In treating of literature it is convenient to adopt the time-honoured division into poetry, the drama, and prose. In all three branches the representative character of the writing of the time is almost equally conspicuous, though it is specially conspicuous in the first two. The combination of cleverness with the absence of settled conviction led authors inevitably to make their chief object the pleasing of their audience. But it is important to remember that their audience was not the nation, but the court and the literary circles of the capital. The whole trend of events during the Great Rebellion and the Commonwealth had laid stress upon the supreme importance

of London in English political life. This tendency triumphed at the Restoration,[1] and it was aided by the marked foreign influences which that event introduced. France was hated and loathed by the majority of Englishmen, but French example dominated both the court and its literary sycophants. The result was that England witnessed something like that centralisation of art and letters, as well as of political life, which characterised France under Louis XIV. Charles II. was a Londoner as no previous king had been. The fatal weakness of Monmouth's rising was that it was purely provincial, and that it never came near enough to disturb the tranquillity of the capital. In the crisis of the Revolution, as James II. too nervously realised, everything turned upon the defence or surrender of London. William III. owed much of his unpopularity to his refusal to reside at Whitehall. And the literary predominance of the capital was fully as great as its political ascendency. CHAP. XX.

No fewer than six poets, who belong to the age of Charles I., survived into the Restoration period. Robert Herrick, the dainty singer of feminine charms and of the pleasures of country life, had ceased to sing in 1648, when puritan intolerance expelled him from his country vicarage, and his muse remained silent when he was restored in 1662. His death in 1674 was obscure and unnoticed. Although he must be ranked among the most consummate masters of purely lyrical poetry, he had no message for a generation in which the love of nature had been forgotten amidst the distractions and dissipations of city life.

Herrick's more illustrious contemporary was of different metal. John Milton in his early manhood had produced the *Ode on the Nativity* (1629), *L'Allegro* and *Il Penseroso*, *Comus* (1634), and *Lycidas* (1637), five poems which secured for him a place among the most melodious of poets in an age of melody. For twenty years after the composition of *Lycidas* he gave himself up to the life of an ardent partisan. During this interval, in part of which he held the post of Latin secretary of the Council of State, his only poetical productions were the scanty but powerful sonnets which he composed

[1] Evelyn (June 12, 1684) speaks of London as "by far too disproportionate already to the nation".

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in the form rendered classical by Petrarch. At the Restoration he narrowly escaped exclusion from the indemnity, and after his safety was assured, he sought consolation for his blindness and for the overthrow of his political ideals in the composition of the three immortal works which have given him an almost unchallenged position among the greatest poets in the world's literature. *Paradise Lost* was published in 1667, and *Paradise Regained* and *Samson Agonistes* appeared together in 1670. After that date Milton wrote no more poetry, and died on November 8, 1674. Some surprise has been expressed that three such deliberate protests against the life and spirit of the Restoration epoch should have passed the censorship created by the licensing act. But official intolerance was relaxed on the fall of Clarendon, and it may have been further mollified by the thought that few readers would be found outside the ranks of the humbled and discouraged sectaries. To Dryden and Marvell, almost alone among contemporaries, belongs the credit of having recognised Milton's greatness. The publisher of *Paradise Lost* contracted to pay the author a beggarly £20 in four successive instalments, and Milton only lived to receive half of the stipulated sum. It must stand to the literary credit of the whigs that their rise to power under William III. was associated with the first popular recognition of the greatness of the puritan poet.

Milton's isolation is so complete and startling, that it is impossible to regard him as a representative of the period which is the proper subject of this chapter. Yet his three last poems are so immeasurably the greatest literary productions of the second half of the seventeenth century that it is necessary to do more than merely enumerate their titles. Milton is the last great exponent of the Renaissance spirit, as applied in the Reformation to religion and to human life. His supreme characteristics are, a varied and impressive vocabulary, an unerring accuracy of ear, and a poetic intensity which welds words and thoughts so aptly together as to awe the critical sense into submissive acquiescence. *Paradise Lost*—unquestionably his masterpiece—was the completion of a plan which he had had in his mind since 1642. The grandeur of the subject, the majestic sweep of the narrative, the dramatic

force of many of the scenes, and the wealth of classical allusion embodied in the stately verse, more than atone for the absence of any of the lighter touches of drama, and for the constant and almost exhausting strain upon the mental and moral powers of the reader. *Paradise Regained*, which treats of the temptation of Christ, suffers in comparison from the want of any human or dramatic interest, and from the necessary predominance of the didactic element. For the general reader it is also marred by the rigid austerity of phrase, and by the author's refusal to give the rein to his imagination, or to excite interest by the use of simile or any other rhetorical artifice. But Milton himself resented any suggestion of inferiority, and the praises of *Paradise Regained* have been sounded by other poets, notably by Johnson, Wordsworth, and Coleridge. Coleridge, indeed, declares that "in its kind it is the most perfect poem extant".

Samson Agonistes is a tragedy on the Greek model and, in addition to its poetical merits, is full of personal touches which give it a pathetic interest. But it is too far removed from the English conception of the drama to be a popular work. Milton, in his brief preface, announces that his desire is "to vindicate Tragedy from the small esteem, or rather infamy, which in the account of many it undergoes at this day, with other common interludes; happening through the poet's error of intermixing comic stuff with tragic sadness and gravity, or introducing trivial and vulgar persons; which by all judicious hath been counted absurd, and brought in without discretion, corruptly to gratify the people". This was a direct and slashing blow at the Restoration drama, but it was equally an attack on the methods and the spirit of the great Elizabethans. In this protest against licence and exuberance, and in the strict observance of the classical unities, *Samson Agonistes* marks the transition to what has come to be accepted as the Augustan age of English literature.

The other poets who survive from the Caroline period are the chief actors in the transition period. The most important of them, from this point of view, is Edmund Waller, whose long life extended from 1605 to 1687. Although his poetry does not justify the great reputation which he enjoyed after the Restoration, and though he is now best known as the author of two or three exquisite songs, he has a permanent

CHAP. XX. place in the history of literature as the founder of the classical school, and as the introducer of the self-contained rhymed couplet. The first and greatest age of blank verse ends with Milton. The age of the heroic couplet begins with Waller and extends to Johnson. Waller's first experiment in the couplet was as early as 1623, when in his eighteenth year he wrote of Edward IV.—

> He rent the crown from vanquished Henry's head,
> Raised the white rose, and trampled on the red,
> Till love, triumphing o'er the victor's pride,
> Brought Mars and Warwick to the conquered side.

His first disciple was Sir John Denham (1615-68), whose *Cooper's Hill* is now remembered only for one fine passage, which does not appear in the first edition of the poem. The two names were coupled together by Dryden, when he wrote in 1664 to defend his somewhat scanty use of rhyme in *The Rival Ladies*. "The excellence and dignity of rhyme were never fully known till Mr. Waller taught it; he first made writing easily an art, first showed us to conclude the sense, most commonly in distichs, which in the verse of those before him runs on for so many lines together, that the reader is out of breath to overtake it. . . . This sweetness of his lyric poesy was afterwards followed in the epic by Sir John Denham, in his *Cooper's Hill*."

Abraham Cowley (1618-67) was a far greater poet than either Waller or Denham. The metrical invention of which he was proudest was that of "Pindaric Odes," irregular lyrics in supposed imitation of Pindar. These were immensely popular in their own day and were copied by many subsequent writers. Perhaps the most famous and the most perfect example of a Pindaric is Dryden's second *Ode on St. Cecilia's Day*, which is generally known as *Alexander's Feast*. Cowley also used the couplet, notably in the *Davideis*, an epic poem which he published in 1656, and in the admirable *Elegy on the Death of Mr. Crashaw*. But he contributed to the growth of the classical school by the spirit rather than by the form of his work. His poetry, though at times of real beauty, is for the most part rhetorical and artificial; he appeals to the intellect rather than to the feelings and imagination; his learning is apt to degenerate into pedantry; and his "conceits" are often in-

tolerably elaborated. His merits were unduly exalted in his own day, but they have been still more unduly depreciated in later times. He has also an honourable place in the history of English prose. CHAP. XX.

The other survivors and precursors are Andrew Marvell (1621-78) and Sir William Davenant (1606-68). Marvell, the friend and at one time the colleague of Milton, had written all his best poems before the Restoration, but he was still in the prime of life when he entered the convention and the cavalier parliament as member for Hull. His satires and his prose writings will be referred to later. Davenant, who succeeded Ben Jonson as poet laureate in 1637, was a man of many-sided activity. But he is far more important in the history of the drama than in that of pure poetry. *Gondibert*, his best poem, was copied as to metre in the *Annus Mirabilis*, but has few other merits, and his one song—nearly every seventeenth century poet wrote at least one passable song—"The Lark now leaves his watery nest," is so familiar in its musical setting that its date and authorship are rarely remembered. In his later years Davenant followed Waller and Denham in the use of the couplet.

The successor and to some extent the pupil of these men is John Dryden, whose poetry is more powerful if less polished than that of Pope, and who has no later rival among English poets until the beginning of the nineteenth century. Dryden was born at Aldwinkle, near Oundle, in Northamptonshire, in 1631, and he died in the last year of the century. His literary career, which thus covers the whole of our epoch, divides itself naturally into four distinct periods. In his early manhood he wrote, in addition to dramas, the *Stanzas on Oliver Cromwell*, *Astræa Redux*, complimentary verses to Clarendon and the Duchess of York, and the *Annus Mirabilis*. These serve to show the influence of Waller and Davenant, and none of them would have given him a permanent place above his immediate predecessors. The loyalty of the later poems, however, helped to secure his succession to Davenant as poet laureate in 1670, and in 1674 Evelyn speaks of him as "the famous poet".[1] From 1667 Dryden devoted himself for fourteen years to the writing of dramas, and during this period no

[1] Evelyn, June 27, 1674.

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less than twenty-two of his plays were produced upon the stage with varying but on the whole increasing success. Scattered up and down among these plays are a number of exquisite songs, which are the chief evidence of his lyrical faculty, and the dramas themselves served to strengthen his mastery of the heroic couplet. This prepared him for his great efforts between 1681 and 1688, when he produced the six satirical and didactic poems which are his most original contributions to literature. As he refused to take the oath of allegiance after the Revolution, he had the mortification of seeing the office of poet laureate transferred to his rival, Shadwell, while he also lost the pension which had been granted to him both by Charles and James. He was thus compelled to earn an income by his pen, and in the last twelve years of his life his industry was untiring. In this period he composed five more dramas, his principal prose writings, his translations from Virgil, Juvenal, and Ovid, and the remarkable adaptations from Chaucer and Boccaccio, which, with *Alexander's Feast*, have always been the most generally popular of his works.

In an age of artifice, and of keen popular interest in politics and religion, it was inevitable that poetry should busy itself with contemporary problems. The first to set the example was Samuel Butler (1612-80), whose *Hudibras* appeared in three successive parts in 1662, 1663, and 1678. The poem, which has no plot, deals with the more or less ludicrous adventures of a presbyterian knight and his servant, whose characters were suggested by Don Quixote and Sancho Panza. The episodes are not very interesting in themselves, the verses descend at times into little better than doggerel, and the style is so voluble and discursive that the modern reader is more likely to be repelled than attracted. Nevertheless *Hudibras* was immensely popular with all classes at the time of its publication, it helped to weaken and discredit the cause of puritanism, and it contains many apt and emphatic couplets which are among the commonplaces of quotation. Butler's friends had some reason to complain that the author's services were left unrewarded by an ungrateful court.

Andrew Marvell's excellent lyrical poetry belongs to an earlier generation; in the Restoration period he was chiefly known as a vigorous, outspoken, and extremely coarse satirist.

He sat continuously for Hull till his death in 1678, and was throughout a member of the party which opposed the court. His longest satire in verse, entitled *The Last Instructions to a Painter on the Dutch Wars*,[1] was written in 1667. It is a savage attack upon the court and ministers, and especially belabours them as responsible for laying up the fleet and thus allowing the Dutch outrage,

> When agèd Thames was bound with fetters base
> And Medway chaste ravished before his face.

Even more savage were *An Historical Poem*, written early in Danby's administration, and *Advice to a Painter*, composed at the time of the Duke of York's second marriage. The denunciations in these and other poems of "the poor Priapus king" and his brother are almost incredibly disgusting in their outspokenness, and if, as is reported, Charles took pleasure in Marvell's verses, his complacency must have been unparalleled in the annals of kings.

The *sæva indignatio* of Marvell finds a rival in that of John Oldham (1653-83), a young Oxford graduate who died at the age of thirty and was mourned by Dryden as the "Marcellus of our Tongue". In spite of "the harsh cadence of a rugged line," Oldham attracted popular attention by his *Satires upon the Jesuits*, which was published at the height of the excitement about the popish plot. He had none of Marvell's redeeming sense of humour, and his bitterness is too unrelieved to be compatible with real satirical art. The quality of his denunciation may be judged from the following attack upon the Jesuits for teaching the lawfulness of assassination:—

> When the first traitor Cain (too good to be
> Thought patron of this black fraternity)
> His bloody tragedy of old designed,
> One death alone quenched his revengeful mind,
> Content with but a quarter of mankind:
> Had he been Jesuit, and but put on
> Their savage cruelty, the rest had gone;
> His hand had sent old Adam after too,
> And forced the Godhead to create anew.

[1] The title was suggested by the panegyric which Waller wrote on the Duke of York's naval victory off Lowestoft, and which he called *Instructions to a Painter for the Drawing of the Posture and Progress of His Majesty's Forces at Sea under the Command of His Highness Royal*, etc. Marvell wrote *Farther Instructions to a Painter* a few years later,

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Marvell and Oldham, popular as their writings were, were forgotten when Dryden entered the lists in 1681. Earlier in the year he had won the plaudits of the protestant mob by the blows which he had dealt to the papists in *The Spanish Friar*. But he was the paid servant of the king, and when Charles suggested that he should denounce the leaders of the party which had profited by the plot, he readily responded. *Absalom and Achitophel*, which appeared in November, 1681, is the most powerful and pointed, as it has always been the most popular, of English satires. The supreme merit of the poem lies, not in the use made of the biblical narrative, which is slight, but in the "series of satirical portraits, cut and polished like jewels, and flashing malignant light from all their facets".[1] The principal characters were Monmouth and Shaftesbury, but most of the leading politicians of the time were introduced. Its immediate success was sensational, and it must have contributed in no small degree to the growing discredit of the whigs. But it failed to procure the condemnation of Shaftesbury who, soon after the appearance of the poem, was acquitted by a Middlesex grand jury. It was an age in which the medallic art had reached a high standard, and Shaftesbury's supporters celebrated his escape by striking a medal with the legend *Lætamur*. Dryden, again it is said at royal suggestion, returned to the attack in *The Medal*, a less personal and therefore a less popular satire than its predecessor, but none the less a consummate work of art. Among the numerous replies which it provoked the most notorious was *The Medal of John Bayes*, in which Thomas Shadwell tried to turn the tide of opinion by grossly scurrilous abuse of Dryden. For once provoked beyond measure, Dryden proceeded mercilessly to trounce his adversary in *MacFlecknoe*, which appeared in October, 1682, and a month later completed his discomfiture in some two hundred lines which were incorporated in the second part of *Absalom and Achitophel*. The bulk of the latter poem was written with unusual spirit by Nahum Tate, but it is not difficult to detect what is certainly the work of Dryden. In these lines he descended perilously near to the personal abuse employed by his adversaries, but nothing demonstrates more conclusively Dryden's

[1] E. Gosse, *A History of Eighteenth Century Literature* (1889), p. 15.

immense superiority than a comparison of their clumsy bludgeon strokes with his polished and envenomed darts. CHAP. XX.

Dryden, though he never again wielded the weapon of satire which he had forged to such perfection, had not yet done with controversy. From destructive criticism of the whigs he turned to support constructively the main citadel of toryism. *Religio Laici*, which was published in November, 1682, almost simultaneously with the second part of *Absalom and Achitophel*, is a temperate and reasoned defence of the established Church as against Roman catholicism on the one hand and puritanism on the other. The poem, which will bear comparison with the poetical treatment of similar topics in any language, has always been a favourite with the party whose cause it championed. Johnson said of it that "metre has neither weakened the force nor clouded the perspicuity of argument," and Scott declared that it is "one of the most admirable poems in the language".

Within a year of James' accession Dryden had become an avowed Roman catholic.[1] He seems to have felt it necessary to justify his change of creed, and in April, 1687, he issued *The Hind and the Panther*, the longest, the most elaborate, and the most poetical of his didactic poems. The form of a fable in which animal characters are employed was commended to the public taste by the popularity throughout Europe of the story of "Reynard the Fox". In part i. the various characters are described. The Roman catholic Church is the "milk-white Hind, immortal and unchanged"; while Anglicanism is represented by

> The Panther, sure the noblest next the Hind
> And fairest creature of the spotted kind.

The independent is "the bloody Bear," the presbyterian "the insatiate Wolf," the anabaptist "the bristled Boar," and

> Among the timorous kind, the quaking Hare
> Professed neutrality, but would not swear.

The bloodthirsty quarrels of the sects are for the moment stilled "because the Lion's peace was now proclaimed" by the royal declaration of indulgence, and this renders possible the

[1] Evelyn, January 19, 1686.

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friendly controversy between the Panther and the Hind, which occupies parts ii. and iii. of the poem.

The Hind and the Panther is usually referred to as the crowning illustration of Dryden's inconsistency and of his cringing desire for royal favour. But, while it is difficult to believe that such a motive had no share in bringing about his conversion, there are some substantial grounds for contending that the poem represents a genuine change of conviction. Not only did he refuse to follow the example of Sunderland and other professed converts and to purchase place and pecuniary profit by a return to his former faith, but there is internal evidence of his honesty and independence. The adoption of Roman catholicism was a not unnatural advance from that craving for "an omniscient Church" which had found expression in *Religio Laici*. The wholesale denunciation of the protestant dissenters in the first part of *The Hind and the Panther*, though the tone is somewhat modified in the preface, was by no means in accordance with James' policy of conciliating the sectaries by his indulgence. But the strongest argument is to be found in the third part of the poem, where Dryden writes throughout as the advocate of the moderate Roman catholics, whose advice the king had rejected, and speaks with scanty respect of Father Petre, the Jesuit leader, who appears as the Martin:—

> A church-begot and church-believing bird;
> Of little body, but of lofty mind,
> Round-bellied, for a dignity designed,
> And much a dunce, as Martins are by kind;
> Yet often quoted Canon-laws and Code
> And Fathers whom he never understood;
> But little learning needs in noble blood.

Apart from satire and from the works of Milton and Dryden, the poetical output of the Restoration period is singularly limited, both in quantity and in quality. It consists for the most part of songs, of which the most noteworthy writers belonged to the dissipated circle of the court. Prominent among them was John Wilmot, Earl of Rochester (1647-80), whose combination of reckless debauchery with physical cowardice has given him an unenviable reputation as a man. But, in spite of the vicious coarseness which disfigures so many of the verses attributed to Rochester, he possessed

the true lyrical faculty, and his best songs, such as "My dear Mistress has a heart," will always find an honoured place in English anthologies. His nearest rivals were Sir Charles Sedley (1639-1701), the author of "Ah! Chloris, that I now could sit," and of "Phyllis is my only joy"; Charles Sackville, Earl of Dorset (1637-1706), the friend and patron of all the poets of his generation; and Mrs. Aphra Behn, the first Englishwoman who made a livelihood by her pen. Two noble authors attempted more ambitious flights. John Sheffield, Earl of Mulgrave, wrote in heroic verse an *Essay on Satire* in 1679, and an *Essay on Poetry* in 1682. Both were published anonymously, and the *Essay on Satire* was sufficiently vigorous to be attributed to Dryden. It contained a savage attack upon Rochester, with whom Mulgrave had quarrelled, and the maligned earl was cowardly and short-sighted enough to have the poet laureate cruelly beaten by hired ruffians. Wentworth Dillon, Earl of Roscommon (1634-85), gained a humble place in the history of literature by a frigid and pretentious *Essay on Translated Verse*, written in heroic couplets, which was published in 1681, and by a paraphrase of Horace's *Art of Poetry* in 1684, the only non-dramatic poem of the period, except Milton's, in which blank verse was employed. CHAP. XX

It is wholly impossible within the necessary limits of space to give an adequate account of the Restoration drama. Even to compile a list of the numerous dramatists, with an enumeration of their principal works, would occupy no inconsiderable space, and would serve no useful purpose. Never before or since has the writing of plays been more fashionable or more lucrative. The desire of popularity and gain drove Dryden into a form of literary activity which can never have been wholly congenial, and in which his success, considerable as it was, has lowered rather than enhanced his reputation. The Restoration drama is the most considerable, as it is the most representative, product of the age. It illustrates, as nothing else can, the prevalence of foreign influences, the degraded standard of morality, the love of amusement and excitement among the dominant classes, and, above all, the omnipotence of London. The most fatal limitation of the drama in the later part of the seventeenth century is that it is

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municipal rather than national. It holds up the mirror, not to Englishmen of all classes, but to the world of fashion in the capital. It deals, not with human nature, but with the artificial characteristics of a small and not very attractive collection of human beings. Its whole tone is cynical, because cynicism was prevalent in the society to which it appealed. In spite of its brilliant wit and cleverness, the Restoration drama can never be popular in modern times, not only because its brutal indecency is revolting, but because its foundations are hollow, unsubstantial, and transitory.

The passion for the drama after 1660 was stimulated by eighteen years of abstinence. In 1642 an ordinance of the Long Parliament had closed the theatres, and in 1647 when active hostilities had come to an end, the prohibition was renewed. It was not till 1656, when Cromwell desired to conciliate moderate opinion, that the austerity of puritan restrictions was relaxed. In that year Davenant obtained leave to produce an entertainment combining music and declamation, which marks the first introduction of the opera in England. On August 21, 1660, Charles II. granted a patent to Thomas Killigrew and Davenant, authorising the formation of two companies of players. These companies, known respectively as the King's and the Duke of York's, established themselves in the two theatres which became for many years the favourite resort of the fashionable world. Two innovations imported from France were associated with the revival of the drama. For the first time in England female parts were entrusted to women, instead of to boys and young men, and elaborate painted scenery took the place of the simple background of the Elizabethan and Jacobean plays. Both changes tended to the advance of realism at the expense of imagination, and the introduction of actresses had moral consequences which helped to increase the antagonism of the puritan spirit to the stage.[1]

Dramatic production had been for so long at a standstill that there was no supply of contemporary plays for representation. It was necessary, for a time, to fall back upon the dramas of Shakespeare and his contemporaries. But the taste of the play-going public had undergone a momentous

[1] See Evelyn, October 18, 1666.

change. Evelyn tells us on October 26, 1661, "I saw *Hamlet, Prince of Denmark*, played; but now the old plays began to disgust this refined age, since his Majesty's being so long abroad". Later playwrights met the difficulty to some extent by producing those adaptations of the older dramatists which give so deplorable an estimate of the literary taste of the Restoration. *Macbeth* was travestied by Davenant, *Timon of Athens* by Shadwell, *Romeo and Juliet* by James Howard, who kept the lovers alive. Davenant and Dryden collaborated in writing *The Tempest, or The Enchanted Island*, which is the most lamentable perversion of Shakespeare's play. Beaumont and Fletcher, Ford, Webster, and others met with equally sacrilegious treatment. Perhaps the worst outrage was committed when Dryden, it is said with Milton's contemptuous permission, "tagged" *Paradise Lost* into rhymed couplets in *The State of Innocence*, an opera which was never produced on the stage.[1] CHAP. XX.

The demand for suitable plays was not long in producing an adequate supply. Dryden was the first eminent man of letters who devoted himself to dramatic composition, and the only interval in his productive activity was between 1680 and 1688. His first play, *The Wild Gallant*, was acted in 1663, and his last, *Love Triumphant*, appeared in 1694. Both were comedies and both were failures. Dryden had none of the lightness of touch necessary for writing a successful comedy, and he apparently sought to make amends for admitted defects by pandering to the coarser tastes of his audience. He was far more successful with serious drama. He was the first to make systematic use of the rhymed couplet in dramatic composition. This led to the development of the "heroic" play, the most original, though by no means the most interesting, contribution of the Restoration period to dramatic literature. Its characteristics have been described by Dryden himself in his *Essay on Dramatic Poesy*: "The plot, the characters, the wit, the passions, the description, are all exalted above the level of common converse, as high as the imagination of the poet can carry them, with proportion to verisimility". For this lofty drama blank verse, he says, is "acknowledged to be too low,"

[1] For a full account of these and similar adaptations, see A. W. Ward, *History of English Dramatic Literature*, iii., chap. ix.

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and heroic rhyme is to be preferred as "being the noblest kind of modern verse". In carrying out these precepts Dryden had no rival, and his most important heroic plays, *The Indian Emperor* (1665), *Tyrannic Love* (1669), and the *Conquest of Granada* (1670) contain isolated passages of recognised poetical merit. Unfortunately the couplet was too artificial for ordinary dialogue, and thus he was unable to maintain the desired "proportion to verisimility". The speeches of his characters had to be either short sentences or elaborate harangues, and the latter too often degenerated into bombastic declamation. Thus the heroic play contained a barbaric and grotesque element, which was mercilessly ridiculed in *The Rehearsal* (1671), the famous play in which Buckingham and his associates, Butler and Sprat, anticipated the humour of Sheridan's *Critic*. The collaborators had intended to satirise Davenant, but on his death they transferred the attack to Dryden, to whom the nickname of John Bayes, the chief character in *The Rehearsal*, continued to be applied in later years.

The heroic play survived *The Rehearsal*, and Dryden himself wrote *Aurengzebe*, another elaborate drama in rhyme, which appeared in 1675. But he was too shrewd not to see the force of the objections to the couplet, and in *All for Love* (1678), a play on the story of Antony and Cleopatra, he employed blank verse. The change was of no small importance, for it was contemporary with the appearance of two writers who were destined to surpass Dryden as writers of tragedies, and who might have achieved still greater fame if their lives had been happier and more prolonged. Nathaniel Lee (1655-92), a Cambridge man who had failed as an actor, began with three plays in rhyme, but his best work is to be found in *The Rival Queens* and *Mithridates*, which were extremely popular. Both these tragedies were written in blank verse, but they retain much of the inflated bombast of the heroic play. Lee, however, possessed genuine poetical and dramatic power, and was admitted to collaborate with Dryden upon equal terms in the production of two plays. His career was cut short by insanity, and he died at the age of thirty-seven. Thomas Otway (1651-85) was a few years older than Lee, but as dramatists they were exact contemporaries. Otway

was educated at Christ Church, Oxford, and also failed as an actor before he took to authorship. He was a more prosaic writer than Lee, but a far better playwright, and two of his works, *The Orphan* (1680) and *Venice Preserved* (1682), must be ranked as, from the point of view of the stage, by far the most successful tragedies of the period. In fact their only rival is Congreve's *Mourning Bride*, which was not produced till 1697. Otway wasted his life and means in dissipation, and he was only thirty-four when he died of starvation. CHAP. XX.

Taken at their best in the works of Dryden, Otway, and Lee, the tragedies of the Restoration period show an immense decline of dramatic power since the days of Marlowe, Shakespeare, and Ford. Relatively, the Restoration comedy makes a far better show. It is shallower, it is altogether slighter, and it is more indecent, than the comedy of the penultimate generation, but it can hold its own in wit, in brightness, and in the art of stage-craft. In comedy Dryden was fairly beaten by his rival Shadwell, whose plays show a good deal of humour and remarkable powers of accurate observation. His *Epsom Wells* (1676), *Bury Fair* (1686), and *The Squire of Alsatia* (1687) constitute a storehouse of information for the student of the life and manners of the period. But Shadwell can only rank, with Sedley, Mrs. Behn, and others, in the second or third class of dramatists. The five great comedians of the half century are Etherege and Wycherley in the reign of Charles II., and Congreve, Vanbrugh, and Farquhar in that of William III.

Sir George Etherege, a fine gentleman who had lived in France before the Restoration, and who composed comedies in the intervals of dissipation and diplomacy, writes with a lighter and more delicate touch than any of his rivals. He produced only three plays: *Love in a Tub* (1664), *She Would if She Could* (1668), and *The Man of Mode, or Sir Fopling Flutter* (1676). The last is the best, and in its easy and tolerant picture of the foibles of fashionable life it sets the example which was followed in the comedy of the eighteenth century. William Wycherley, who had also spent his youth in France, is a much abler and a much more cynical writer than Etherege. His two masterpieces, *The Country Wife* (1675) and *The*

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Plain Dealer (1677), are full of genuine wit and pungent satire. In spite of the gall in which his pen was dipped, his plays might long have held the stage but for their intolerable grossness.

Of the later group of writers, William Congreve is the most famous and brilliant dramatist, and he is the only one who ventured into the realm of tragedy in *The Mourning Bride*. In comedy he combines the best qualities of Etherege and Wycherley, and the easy wit of his dialogues has hardly ever been surpassed. At the age of twenty-three he suddenly leapt into fame with *The Old Bachelor* (1693). This was followed by the three plays which secured his reputation, *The Double Dealer* (1694), *Love for Love* (1695), and *The Way of the World* (1700). John Vanbrugh's dramatic touch is less delicate than that of Congreve, but his wit is little less striking than that of his contemporary. His first play, *The Relapse*, appeared in 1697, and was followed by *The Provoked Wife* in 1698, and by *The Confederacy* in 1705. Vanbrugh later abandoned the drama for architecture, built Blenheim Palace and Castle Howard, and was knighted on the accession of George I. Farquhar, the youngest of the trio, was an Irishman, with all the dash and fire of his race. He left Trinity College, Dublin, to become an actor, quitted the theatre because he nearly killed a fellow-actor in a stage duel, entered the army, and wrote seven plays, before he died in his thirtieth year. His last plays, *The Recruiting Officer* (1706) and *The Beaux-Stratagem* (1707), were his best, and the latter was long a popular drama on the stage.

In spite of their brilliance, these later writers show no superiority over their predecessors in the matter of morality. That it is unfair to attribute the licence of Restoration manners and of the contemporary drama to the personal influence and example of Charles II., may be proved by a perusal of the comedies of William III.'s reign. Mary did her best to gain popularity by patronising the theatre, but she failed altogether to raise its moral tone. Few attacks of the kind have had more ample justification than that made by Jeremy Collier, a non-juror, in his *Short View of the Immorality and Profaneness of the English Stage*, published in 1698. Collier was neither the most discreet nor the most convincing of

controversialists, but his case was too strong to be spoiled by the errors of its champion. Dryden in his last epilogue, written when *The Pilgrim* was performed for his benefit in 1700, practically admitted the substance of Collier's charges, though he somewhat ungratefully tried to throw the whole blame upon the court. CHAP. XX.

From the Restoration drama, which, with all its brilliance, is an unsavoury subject, it is a relief to turn to the most solid and permanent literary achievement of the period, the transformation of English prose. In the middle of the century our prose was that of Sir Thomas Browne, Milton, and Clarendon, a powerful and impressive instrument for the few that had strength to wield it, but extremely difficult for weaker hands to manage, and altogether unsuited for ordinary every-day use. By the end of the century prose has become simpler, more flexible, and more workmanlike; though at the same time it is less lofty, less tuneful, and less inspiring. The change has often been associated with the advance of natural science, because Sprat, the first historian of the Royal Society, and later Bishop of Rochester, connects them together in an often quoted passage. To the Royal Society he attributes "a constant resolution to reject all the amplifications, digressions, and swellings of style; to return back to the primitive purity and shortness, when men delivered so many *things*, almost in an equal number of *words*. They have exacted from all their members a close, naked, natural way of speaking; positive expressions, clear senses, a native easiness, bringing all things as near the mathematical plainness as they can: and preferring the language of artisans, countrymen, and merchants, before that of wits or scholars." The sequence, however, is not precisely that which these words imply. The new prose was not the result of the growth of science, but both sprang from the same cause, the inquiring, rationalising desire to get to the bottom of things, which is the hall-mark of the generation. It was an age of *virtuosi*, not only of advanced specialists, but of men with an eager all-round curiosity. We are fortunate in having autobiographical accounts of two representatives of this class, John Evelyn and Samuel Pepys, the one a polished country gentleman, and the other a citizen who had hard work to control his ungentlemanly instincts, but both

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drawn together by their keen interest in the past, the present, and the future of their race.

The transformation of prose was part and parcel of the same literary movement which led poetry from the romantic to the classical age. Foreign, and especially French, influences vitally affected both. In prose, as in poetry, the change was not completed till the next generation, the time of Defoe, Steele, Addison, and Swift. It is easy to grasp the magnitude of the change, and to see that a change of the sort was absolutely necessary for the intellectual development of England. But it is not so easy to say who is mainly to be credited with guiding and directing the transformation. As in other literary movements, progress is neither sudden nor uniform. Many prose writers of the period, such as Clarendon and Jeremy Taylor (1613-67), show little or no signs of the change. Like Milton in poetry they belong essentially to the past. In others the new influences are only partially and, as it were, spasmodically apparent. Prose writers are so numerous as compared with poets, and their influence over each other is often so unrecognised and unacknowledged, that it is not easy to estimate the precise importance of individuals.

On the whole, if tradition be combined with internal evidence, there can be little doubt that the four chief men who can claim the credit of leading the way in the introduction of the new prose were Hobbes, Cowley, Dryden, and Temple. Hobbes, who died in 1679 at the age of ninety-two, and whose *Leviathan* was published in 1651, was a master of clear, precise, and unadorned expression. Cowley, in prose as in verse, stands at the parting of the ways. In his *Essays* and his *Discourse concerning Oliver Cromwell* (1661) he combines much of the colour and force of the earlier prose with a correctness and precision which anticipate the work of much later writers. Dryden was the most eminent writer of literary prose in his generation, and in his *Essay on Dramatic Poesy* and the preface to his *Fables* he set a model which his contemporaries could only follow imperfectly and at a distance. Temple has been depreciated in recent times both as a politician and as an author, but there can be no doubt of his reputation and influence during his life, and in balance, precision, and clearness his style is comparable to that of Dryden.

John Tillotson, afterwards Archbishop of Canterbury, is referred to by Dryden as one of the masters of the new prose. But for this fact and for the undoubted popularity of his sermons, he would hardly hold a prominent place in the history of literature. Robert South (1633-1716) was a far abler preacher and writer, and his sermons are as full of wit as of eloquence. Marvell's prose works are of more literary and historical value than his later poems, and entitle him to a place among the most vigorous and influential writers of his time. But among the men who guided contemporary opinion by their pen, Halifax is entitled to a place second only to that of Dryden. Although his tracts were issued anonymously, and were attributed to more than one prominent politician, their authorship is no longer open to question. *The Letter to a Dissenter*, *The Anatomy of an Equivalent*, and *The Character of a Trimmer*, are models of political pamphleteering, and helped to usher in the great age of that art in the time of Anne. The last active force in making prose easy and flexible is to be found in the writers of prose comedy. Congreve, especially, may claim as much credit as Dryden and Temple in shaping the prose style of the early eighteenth century.

There is one prose writer, in some ways the most eminent of all, who is almost as isolated from his contemporaries as was Milton among poets. John Bunyan, the tinker of Elstow, lived from 1628 to 1688. His chief literary works were all produced in the reign of Charles II., some were written in the jail to which he was sent for breach of the Conventicle Act, and perhaps none of them would have been written if it had not been that his imprisonment compelled him to give up some years of his life to thought and introspection instead of to the work of preaching the Gospel. *Grace Abounding* was published in 1666; the first part of *Pilgrim's Progress*, in 1678; the *Life and Death of Mr. Badman* in 1680; the *Holy War* in 1682, and the second and inferior part of *Pilgrim's Progress* in 1684. We have little accurate knowledge of the details of Bunyan's life—we do not even know on which side he fought in the civil war—though there is sufficient autobiographical matter in *Grace Abounding* to enable us to follow his mental and moral growth. He had little education, and he cannot have owed much to contemporary writers or to foreign

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influences. His literary guides were the authorised version of the Bible, Foxe's *Acts and Monuments*, commonly known as the *Book of Martyrs*, and the ordinary devotional books of a puritan family. To these must be added his own mastery of the vernacular as a popular preacher. From this scanty equipment Bunyan evolved a prose style which has never been surpassed as a vehicle of clear and impressive narrative. By adding to the incidents of his story the masterly art of drawing a character, he became the ancestor, through Defoe, of the great English novelists.

If we turn from the manner of prose literature to the matter, the achievements of the age are no less considerable. The *Pilgrim's Progress* is the finest of religious allegories, and has had more readers in the English-speaking world than any book except the Bible. Clarendon is a great historian; Dryden is one of the masters of literary criticism; Hobbes and John Locke are eminent philosophers; Pepys is the most famous and the most self-revealing of diarists; Roger North is an admirable biographer; and Gilbert Burnet has no superior among English memoir writers. It was a period of acute political controversy, in which the champions of the theory of a social contract fought and won a battle against the supporters of the patriarchal origin of monarchy. Men's knowledge of trade and of economic theory were increased by such publications as Sir William Petty's *Treatise of Taxes* (1662) and *Political Arithmetic* (1691), Sir Josiah Child's *New Discourse of Trade* (1690), and Dudley North's *Discourse on Trade* (1691). Thus considerable strides had been made in the kindred subjects of political science and political economy.

A period of little more than forty years in which England settled down after its one great internal convulsion and solved the problem of its political destiny by a bloodless Revolution and by the birth of the party system—a period in which firm foundations of empire were laid in America and in India—and one which includes among its authors Milton, Clarendon, Bunyan, Dryden, Locke, and Congreve—has good claims to careful and respectful study. Yet it is little exaggeration to say that its political and literary achievements are reduced to something like insignificance in comparison with that prodigious advance of natural science which revolutionised men's

knowledge of the physical world. The progress of science was a matter of European rather than of national concern, and Latin was still the normal language in which scientific works were written. But neither before nor since has the contribution of England to the common stock of knowledge been so unique and disproportionate. Sprat, in exalting the deeds and the future prospects of the Royal Society, anticipates "that nature will reveal more of its secrets to the English than to others; because it has already furnished them with a genius so well proportioned for the receiving and retaining its mysteries".[1] He can hardly have expected, when he wrote these words in 1667, that exactly twenty years later his somewhat complacent prophecy would be fulfilled by the publication of the *Principia*. CHAP. XX.

Harvey's epoch-making discovery of the circulation of the blood belongs to the time of James I., and physiologists in the later part of the century were fully occupied in the application of its lessons. The progress of medicine was solid and substantial, rather than brilliant. In Edinburgh Charles II. granted a charter to the Royal College of Physicians in 1680, and thus gave to scientific study in the north some share of the impulse which it received from the recognition of the Royal Society in London. In botany and zoology men were still mainly absorbed in the task of collection and classification, and the time for great generalisation had not yet arrived. The most eminent names in these studies are those of John Ray (1627-1705) and Francis Willughby (1635-72), whose busts are on either side of the library door in Trinity College, Cambridge. Among the most multifarious and industrious collectors at a time when there was a rage for collection was Elias Ashmole, the founder of the museum at Oxford that bears his name.

It is in chemistry, astronomy, and physics that the sceptical and inquiring spirit of the time produced the most momentous results. Chemistry was the most fashionable of scientific subjects. Charles II. dabbled in it, and so did Prince Rupert. The latest experiment to prove the existence of a vacuum was as interesting a topic of conversation as the production of a play by Dryden, and almost as absorbing as the last scandal

[1] Sprat, *History of the Royal Society* (second edition, 1702), p. 115.

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about Lady Castlemaine or the queen's maids of honour. The man who did most to popularise this taste for science, and who wrote most largely to explain his discoveries was Robert Boyle (1627-91), a younger son of the first Earl of Cork. His most notable work, *The Sceptical Chymist*, appeared in 1661, and, though his prolixity and his excursions into theology excited the derision of Swift in the *Pious Meditation on a Broomstick in the Style of the Honourable Mr. Boyle*, he is entitled to be regarded as the father of modern chemistry. His reputation was obscured on the continent, but increased at home, by the fact that he wrote so much in English. With Boyle's name must be coupled that of John Mayow (1643-79), a medical practitioner at Bath, who achieved fame as an investigator of the phenomena of respiration, and thus supplemented Boyle's researches into the nature and composition of the atmosphere.

In astronomy and physics the two prominent names are those of Robert Hooke (1635-1703) and Isaac Newton (1641-1724). Hooke, who had been assistant to Boyle, was unsurpassed in his day as a mechanician and an experimenter, but Newton was infinitely the greater mathematician. The two men were busied with the same problems as to the relations of gravity to the solar system, and when the *Principia* came out, Hooke claimed priority of discovery. The controversy has long been forgotten, and Hooke's deserved reputation has been obscured by association with his more famous contemporary. It would require an expert to estimate the importance of Newton's three great contributions to knowledge, the theory of fluxions or the Differential Calculus, the law of gravitation, as vital to astronomy as any discovery of Copernicus, Kepler, or Galileo, and the disclosure of the compound nature of white light, which is the beginning of spectrum analysis.[1] It is sufficient here to record that his place has long been undisputed at the very head of those men who have wrested its secrets from the material universe. Pope expressed the general sentiment of his time in the couplet—

> Nature and Nature's laws lay hid in Night,
> God said, Let Newton be, and all was light.

[1] For a popular account of Newton's work, see Oliver Lodge, *Pioneers of Science* (1893), Lectures vii.-ix.

APPENDIX I.

AUTHORITIES.

I. English History.

1. *Contemporary Memoirs.*—In no period of English history are there more memoirs of historical and literary value than in this period, and especially in the reign of Charles II. Pre-eminent among them is Gilbert Burnet's *History of My Own Time* (ed. M. J. Routh, 6 vols., Oxford, 1833). Few books have been subjected to more severe and hostile criticism, notably by Ranke in his *English History* (vol. vi.). This criticism is largely provoked by its claim to be regarded as a history, which it is not. Regarded as memoirs, it is invaluable, and its defects can be easily allowed for. Burnet combined, as few writers have done, the insight of the trained historian with the eager curiosity and the retentive memory of the born memoir-writer. His book covers the whole period, and will always be regarded, with due allowance, as the cardinal authority. It is of primary importance as regards the history of England and Scotland under Charles II., the attitude of William before he came to England, and the events immediately following his arrival. The period of Charles II.'s reign has been edited with full annotations by Mr. Osmund Airy (2 vols., Oxford, 1897, 1900), an edition which is of great value to students, and which has served on the whole to confirm Burnet's reputation for accuracy and insight. Another valuable publication is the *Supplement to Burnet's History of My Own Time* (ed. by Miss H. C. Foxcroft, Oxford, 1902), which shows how the published work varies from the original draft. Burnet also wrote two lesser books on the same period: *A Life of Sir Matthew Hale* (Oxford, 1856), and *Some Passages of the Life and Death of John Earl of Rochester* (London, 1680).

Clarendon's *Life* (3 vols., Oxford, 1759) covers the period from 1660 to 1667. Though characteristically inaccurate with regard to Scotland, it is indispensable for the history of England and Ireland in

APP. I. these years. SAMUEL PEPYS' *Diary* (ed. H. B. Wheatley, London, 1893-99) not only throws a flood of light upon social life and customs, but also contains valuable references to contemporary history, and especially to naval affairs. Unfortunately it only covers the first ten years of the reign. JOHN EVELYN'S *Diary* (ed. H. B. Wheatley, 4 vols., London, 1879; and ed. A. Dobson, 3 vols., London, 1906) is equally well known. Its occasional political comments are those of a shrewd and moderate onlooker, and it has invaluable references to the progress of art and science in the period. The *Mémoires de la Vie du Comte de Grammont*, by Count ANTHONY HAMILTON (Cologne, 1713; English translation, ed. G. Goodwin, London, 1903), give the best known picture of the scandalous side of court life. ROGER NORTH has written his own autobiography, and also the lives of his brothers, Francis, Dudley, and John (*Lives of the Norths*, ed. A. Jessopp, 3 vols., London, 1890). The memoirs of Sir WILLIAM TEMPLE (*Works*, 2 vols., 1720, and 4 vols., 1754) are indispensable for the foreign relations of England down to 1678, and for the domestic history of the critical period from 1678 to 1681.

The above-named works are classics, and would be read for their literary interest if they were of less importance as historical authorities. But there are other books which owe their preservation mainly to their historical value. Prominent among these are the *Memoirs* of Sir JOHN RERESBY (ed. J. J. Cartwright, 1875), of great value for the years from Danby's administration to the Revolution; the *Autobiography* of Sir JOHN BRAMSTON (Camden Society, 1845), which goes down to 1699, but is specially useful for James II. and the Revolution; and the *Memoirs* of THOMAS BRUCE, second EARL OF AILESBURY (Roxburghe Club, 1890), inaccurate, ill-written, ill-arranged (and it might be added, ill-edited), but yet giving valuable information about the later years of Charles II., about James' flight, and about Jacobite intrigues under William III. Of equal value are HENRY SIDNEY'S *Diary of the Times of Charles II.* (ed. R. W. Blencowe, 1843); the Memoirs of JOHN SHEFFIELD, DUKE OF BUCKINGHAMSHIRE (in *Works*, 1753, vol. ii.); and the Diary of HENRY HYDE, EARL OF CLARENDON, 1687-90 (in vol. ii. of his *Correspondence*, ed. by S. W. Singer, 1828). On the ecclesiastical side are RICHARD BAXTER'S *Narrative of the Most Memorable Passages of His Life and Times* (ed. M. Sylvester, 1696), and EDMUND CALAMY, *An Historical Account of My Own Life* (ed. J. T. Rutt, 1829). LADY FANSHAWE'S *Memoirs* (ed. R. Fanshawe, 1907) give an interesting account of her husband's embassy to Portugal and of Charles II.'s marriage; and the *Diary of Thomas Cartwright*, 1686-87 (Camden Society, 1843), is

to be consulted on the reign of James II. But the most important memoirs, so far as they go, are the autobiographical fragments of JAMES II., tantalisingly scattered through the pages of his *Life* by Dr. J. S. CLARKE (2 vols., London, 1816), and the *Memoirs* of MARY 1689-93 (ed. R. Doebner, Leipzig and London, 1886), which give a graphic and touching account of the queen's troubles during her short reign. For an interesting account of CLARKE'S *Life of James II.*, see *Edinburgh Review*, June, 1816. NARCISSUS LUTTRELL'S *Brief Historical Relation of State Affairs from September*, 1678, *to April*, 1714 (6 vols., Oxford, 1817), is so curiously impersonal a work that it is difficult to class it among memoirs. But it is an indispensable guide to the period that it covers, and it is invaluable for events in London. Its general news is mostly borrowed from contemporary news-letters. ANTHONY WOOD, in his *Life and Times* (ed. A. Clark, 5 vols., Oxford, 1891-1900), writes mainly about Oxford, but Oxford was never more closely associated with the national history than under the later Stewarts, and Wood's references to general news are almost as useful as those of Luttrell.

2. *Letters and Despatches.*—Letters are naturally associated with memoirs, and in this period they are extremely numerous. Three considerable collections have been made by later historical writers. Sir JOHN DALRYMPLE put together in the appendices to his *Memoirs of Great Britain and Ireland* (3 vols., 1771) a great mass of varied correspondence, which at the time threw a wholly new light on the period, especially on the reign of Charles II., and which have been copiously used by Macaulay and later historians. CHARLES JAMES FOX'S fragment on the reign of *James II.* (London, 1808) is almost worthless, but his appendix contains most important correspondence between Barillon and Louis XIV. And Sir JAMES MACKINTOSH made a large collection of documents, including the despatches of the papal nuncio d'Adda, for his *History of the Revolution* (London, 1834). Some of them are printed in the appendix: and the whole collection is in the British Museum (Add. MSS., 34, 487-526). An extremely interesting selection of letters has been made on a larger scale by the MARQUISE DE CAMPANA DE CAVELLI in *Les Derniers Stuarts à St. Germain en Laye* (2 vols., Paris, 1871). The first volume, which begins with James' marriage with Mary of Modena, contains despatches and extracts relating mainly to the personal history of the duke and duchess. The second volume contains a very valuable selection of documents on the reign of James II. and the Revolution. Some of them, and especially the letters of Barillon, have been printed elsewhere, but those from Terriesi to the court

APP. I. of Tuscany, from Rizzini to Modena, and from the nuncio d'Adda to Rome, are in many cases printed for the first time. Of especial value are the despatches from Hoffmann to the Emperor, which have been used by Onno Klopp, but have hitherto been buried, as far as English readers are concerned, in the Vienna archives. The collection ends with James' arrival in Ireland in 1689.

More personal are the collections of individual letters. ARLINGTON'S *Letters* (2 vols., London, 1710), and those of Sir WILLIAM TEMPLE (in his *Works*) are chiefly concerned with foreign politics. But domestic history is illuminated by ANDREW MARVELL'S Letters to his constituents, and especially by his more outspoken correspondence with John Ramsden (Marvell's *Works*, ed. A. B. Grosart, 4 vols., 1868); by the *Letters to Sir Joseph Williamson*, 1673-74 (Camden Society, ed. W. D. Christie, 1874); by the *Essex Papers* (Camden Society, ed. O. Airy, 1890), of which only one volume has appeared; and by the *Hatton Correspondence* (Camden Society, ed. by Sir E. Maunde Thompson, 2 vols., 1878). Even more valuable than the last is the famous *Ellis Correspondence* (ed. by the Hon. George Agar Ellis, London, 1829), which contains letters written in 1686-88 by various correspondents in London to John Ellis, a revenue official in Dublin. Many of them are concerned with ordinary gossip, but as a whole, they are invaluable for James II.'s reign. Equally indispensable for the same reign, though of a different character, is the *Clarendon Correspondence* (ed. Singer, 1828); and for the reign of William III., the *Correspondence of Charles Talbot, Duke of Shrewsbury* (ed. W. Coxe, London, 1821). The correspondence of Shrewsbury, from which Coxe made his selection, is to be found in the *Buccleugh MSS. at Montagu House*, vol. ii. (Hist. MSS. Comm. Rep., 1903). William's own letters are to be found in many places, but the most important for the later years of his reign are in the two volumes edited by P. GRIMBLOT (*Letters of William III. and of Louis XIV., with those of their Ministers*, 1848). The John Ellis of the *Ellis Correspondence* was also the recipient of the lively *Letters of Humphrey Prideaux* which were edited by Sir E. M. Thompson for the Camden Society in 1875.

Mention should also be made of the *Savile Correspondence*, being letters to and from HENRY SAVILE, 1661-89 (ed. W. D. Cooper, Camden Society, 1858); ALGERNON SIDNEY, *Letters to the Hon. Henry Savile, Ambassador in Paris in the year* 1679 (London, 1740); the *Letters* to and from DANBY, 1676-78 (published by his own direction in 1710); and the *Letters of Lady Rachel Russell* (ed. by Lord John, afterwards Earl, Russell, 1853). From the unpublished

correspondence of the Comte de Cominges, M. J. J. JUSSERAND has constructed a brilliant picture of the court of Charles II., in his *A French Ambassador at the Court of Charles II.* (London, 1892), and the appendix contains interesting extracts from the correspondence. Several of the biographies, mentioned later, include important letters, notably the two most valuable for this period, W. D. CHRISTIE, *Life of Anthony Ashley Cooper, First Earl of Shaftesbury* (2 vols., 1871), and Miss H. C. FOXCROFT, *Life and Letters of George Savile, Marquis of Halifax* (2 vols., 1898).

Of the Reports of the Historical Manuscripts Commission a large number throw light upon this period, and it is only possible to refer to the most important. *The MSS. of J. M. Heathcote* (1899) consist mainly of the Fanshawe Papers, which are of importance for Charles II.'s marriage, for the occupation of Tangier, and the relations of England with Portugal and Spain down to 1666. The *Buccleugh MSS. at Montagu House*, vol. i. (1899) includes important letters from Montagu to Arlington, 1668-72, and two letters from Danby to Montagu in 1677-78. The Danby Papers in the *MSS. of the Duke of Leeds* (Report xi., App. 7, 1888) are disappointing, but there are more important documents concerning the tory leader in *Lindsey MSS.* (Rep. xiv., App. 9, 1895), and in the *MSS. of J. Eliot Hodgkin* (Rep. xv., App. 2, 1897). This latter volume has also some interesting letters to and from Samuel Pepys. The *MSS. of Sir William Fitzherbert* (Rep. xiii., App. 6, 1893) contain extremely important documents on the Popish Plot. The *Graham Papers* in Report vii. (App., 1879) are of great value. They include the letters written by and to Lord Preston when he was ambassador in France from 1682-85, and again during his brief tenure of the secretaryship of state, Nov. 5 to Dec. 10, 1688; and also a few letters from James at St. Germain to Preston. Equally valuable is the first volume of *Dartmouth MSS.* (Rep. xi., App. 5, 1887), which contains materials for the history of Tangier; a number of letters from James to Legge during his exile under Charles II. (these letters are hopelessly mixed and misdated); and the extremely interesting letters to and from Lord Dartmouth at the time of the Revolution, some of which were printed by Dalrymple. Vol. iii. of the same collection (Rep. xv., App. 1, 1896) contains supplementary letters on Tangier and the Revolution, and also valuable reports on the naval operations of 1672-73. Volume iv. of the *Ormonde MSS. at Kilkenny Castle* (1906) contains a series of letters in which Sir Robert Southwell from 1677 to 1685 kept Ormonde posted up in English affairs. They are specially useful from 1677 to 1679, when Southwell was

APP. I. clerk to the privy council and therefore in a position to give full and accurate information. Ormonde's letters to Southwell are in vol. ii. (1899). Volume v. (1908) includes miscellaneous letters from 1679 to 1681, which have noteworthy references to English and Scottish, as well as to Irish, business. The *Savile-Foljambe MSS.* (Rep. xv., App. 5, 1897) include a number of letters from James to William of Orange, 1678-79, which fill a gap left by Dalrymple and Groen van Prinsterer. The *Rutland MSS.*, vol. ii. (Rep. xii., App. 5, 1889) contains letters which are of considerable value for social history, and which at times make valuable references to contemporary politics. Vol. iii. of the *Bath MSS. at Longleat* (1908) contains the Prior Papers, which are of considerable importance for the negotiations at Ryswick. The *Stuart Papers* (*Windsor*), vol. i. (1902) includes a number of letters from Mary of Modena during her reign and exile, and also from James during the latter period, but there is little of substantial importance till after this period.

3. *Contemporary Documents and State Papers.*—The records of parliament are to be found in the *Statutes of the Realm;* in the *Journals* of both Houses; in the *Parliamentary History;* in the *MSS. of the House of Lords*, which have been calendared for the whole period by the Historical MSS. Commission; in the *Protests of the House of Lords* (ed. J. E. T. Rogers, Oxford, 1875); and in the invaluable *Debates in the House of Commons*, 1667-94, by Anchitell Grey (10 vols., London, 1763). The *Calendar of State Papers, Domestic*, has been published for the years 1660 to 1676, and from 1688 to 1695. The collection of *State Trials* is important for the judicial history of the period. JOHN GUTCH in his *Collectanea Curiosa* (2 vols., Oxford, 1781) has put together a number of miscellaneous documents from the MSS. of Archbishop Sancroft, and the chief papers on *Magdalen College and James II.* have been edited by J. R. BLOXAM for the Oxford Historical Society (1886). Some interesting information is contained in the *Secret Service Expenses of Charles II. and James II.* (ed. J. Y. Akerman for the Camden Society, 1851).

4. *Contemporary or nearly Contemporary Historians.*—Sir ROGER L'ESTRANGE, the tory journalist, issued a *Brief History of the Times* (London, 1687-88), which is little more than a party pamphlet. LAURENCE ECHARD, a clerical bookmaker, in 1707, published a *History of England* to the death of James I., and continued it in 1718 to the Revolution. WHITE KENNET, afterwards Bishop of Peterborough, was the author of a *Register* of the reign of Charles II., which ends, in its published form, in 1662, and also published anonymously the third volume of a *Compleat History of England*, which covers

the period from Charles II. to Anne. This latter work, not without value in itself, is the more notable because it provoked ROGER NORTH to write his famous *Examen* (not published till 1740), a vigorous controversial defence of the tory policy pursued by Charles II. in the later years of his reign. ABEL BOYER, a Huguenot refugee, wrote a *History of William III.* (3 vols., London, 1702-3), which is a useful compilation. EDMUND BOHUN, a "non-resisting Williamite" and afterwards Chief Justice of Carolina, published a *History of the Desertion* (London, 1689), which is of value for the sequence of events in the Revolution. JAMES WELWOOD, physician to William and Mary, wrote *Memoirs of the Most Material Transactions for the Last Hundred Years Preceding the Revolution in* 1688, which contains some acute comments upon events from the whig point of view. Finally, JOHN OLDMIXON, in his *Critical History of England* (London, 1724-26), attacked Clarendon and Echard, and defended Burnet; in 1730 he issued a *History of England during the Reigns of the House of Stuart*, which is still worth reading.

5. *Contemporary Tracts, Satires, Poems, etc.*—The most important political pamphlets are to be found in the *Somers Tracts* (13 vols., London, 1809-15); and an interesting selection has been made in the *Stuart Tracts*, 1603-93 (ed. C. H. Firth, London, 1903). The writings of Lord Halifax, including the famous *Letter to a Dissenter*, and *The Anatomy of an Equivalent*, have been reprinted in vol. ii. of Miss Foxcroft's *Life and Letters of Halifax*. The most famous satires are those of DRYDEN (*Poetical Works*, ed. W. D. Christie, London, 1874), and of MARVELL (*Poems and Satires*, ed. G. A. Aitken, 2 vols., London, 1892; also in Marvell's *Works*, ed. A. B. Grosart, 4 vols., Edinburgh, 1868). For other political poems see W. W. WILKINS, *Political Ballads of the Seventeenth and Eighteenth Centuries* (2 vols., London, 1860), the *Roxburghe Ballads*, vols. iii. and iv. (ed. J. W. Ebsworth, 1883-85), and the *Bagford Ballads* (ed. J. W. Ebsworth, 1878). With the reign of Charles II. begins the continuous history of English journalism. The *London Gazette* (originally the *Oxford Gazette*) dates from the end of 1665, and later in the reign Roger L'Estrange instituted *The Observator* (see H. R. Fox Bourne, *English Newspapers*, 2 vols., London, 1887).

6. *Modern Historians.*—Four eminent historians have written on the period covered by this volume. Of these, Lord MACAULAY is the dominant writer, and has been slavishly followed by most later compilers. His chapter on Charles II. is a brilliant but inadequate sketch, and his reputation must rest upon his account of the reigns of James II. and William III. His knowledge and his insight are

APP. I. as incontestable as his power of graphic expression. But his grasp of general European history, wide as it was, was inadequate, and in domestic history, for which he was much better equipped, his work suffers, not so much from partisanship, which is the common charge against him, as from the absence of any strict critical method in the use of his authorities. An edition of Macaulay with adequate notes to bring his narrative into due relation to later knowledge is a desideratum in English historical literature. JOHN LINGARD'S *History of England* (10 vols., London, 1849) ends with the Revolution. He has treated the highly controversial reigns of Charles II. and James II. from the Roman catholic point of view, but with equal learning and moderation. RANKE'S *Englische Geschichte, vornehmlich in* 16. *und* 17. *Jahrh.* (English translation, 6 vols., Oxford, 1875) is invaluable both for domestic history and for foreign relations. ONNO KLOPP, in *Der Fall des Hauses Stuart* (vols. i. to ix., Vienna, 1875-79), writes as a partisan of Austria and the papacy, and as a hostile critic of Louis XIV. His book is primarily important for foreign politics, and he has not attempted to master the materials for purely English history, but his use of the Austrian despatches, which he largely quotes or paraphrases, enables him at times to throw valuable light on domestic politics.

7. *Modern Monographs.*—An important work on the relations of Charles II. with Rome is G. BOERO, *Istoria della Conversione alla Chiesa Cattolica di Carlo II., Rè d'Inghilterra* (Rome, 1863). Its conclusions were mostly adopted by LORD ACTON in his article on the "Secret History of Charles II." which originally appeared in the *Home and Foreign Review*, i., 146, and has since been re-issued in his *Historical Essays and Studies* (London, 1907). Another Italian contribution to our knowledge of Charles II.'s reign is DALLARI, *Il matrimonio di Giacomo Stuart, Duca di York, con Maria d' Este* (2 vols., Modena, 1896). Mr. JOHN POLLOCK has written a brilliant book on *The Popish Plot* (London, 1903), which contains a good deal of acute criticism, even if the main conclusion as to Godfrey's murderers be rejected. Suggestive books on social and political history are G. P. GOOCH, *The History of English Democratic Ideas in the Seventeenth Century* (Cambridge, 1908); G. B. HERTZ, *English Public Opinion after the Restoration* (1902); and C. B. ROYLANCE KENT, *The Early History of the Tories* (1908). On the economic side of the history reference may be made to G. SCHMOLLER, *The Mercantile System and its Historic Significance* (English trans., New York, 1906); CUNNINGHAM, *Growth of English Industry and Commerce* (vol. ii., Cambridge, 1896); W. A. SHAW, *The Beginnings of the National Debt*

(in *Owens College Hist. Essays*, 1902); J. E. THOROLD ROGERS, *The First Nine Years of the Bank of England* (Oxford, 1887); G. UNWIN, *Industrial Organisation in the Sixteenth and Seventeenth Centuries* (Oxford, 1904). On ecclesiastical history, JOHN STOUGHTON, *The Church of the Restoration* (2 vols., London, 1870); J. H. OVERTON, *Life in the English Church*, 1660-1714 (London, 1885); W. H. HUTTON, *The English Church from the Accession of Charles I. to the Death of Anne* (London, 1903), may be consulted with advantage.

8. *Modern Biographies.*—The most important recent contributions to our knowledge of the period have taken the form of biographies. The most valuable of these, CHRISTIE'S *Life of Shaftesbury*, and Miss FOXCROFT'S *Life of Halifax*, have been already mentioned. Mr. OSMUND AIRY has written an excellent sketch of Charles II. (London, 1901). T. H. LISTER'S *Life and Administration of Edward, Earl of Clarendon* (3 vols., London, 1838) is still the standard work on the subject, and quotes some valuable documents. The same may be said of T. P. COURTENAY'S *Memoirs of the Life, Works, and Correspondence of Sir William Temple* (2 vols., London, 1836), which gave occasion for Macaulay's famous Essay. LORD RUSSELL'S *Life of William Lord Russell* (fourth edn., London, 1853) belongs to the same period, and is well worth reading. E. H. PLUMPTRE'S *Life of Thomas Ken, Bishop of Bath and Wells* (2 vols., 1889), is a valuable contribution to our knowledge of ecclesiastical history and of the early nonjurors. Useful books are, JULIA CARTWRIGHT (Mrs. HENRY ADY), *Madame, a Life of Henrietta, Daughter of Charles I. and Duchess of Orleans* (London, 1900); J. FERGUSON, *Robert Ferguson the Plotter* (Edinburgh, 1887); H. FORNERON, *Louise de Kéroualle, Duchesse de Portsmouth* (Paris, 1886); EVA SCOTT, *Rupert, Prince Palatine* (London, 1899); *Mary of Modena*, by "MARTIN HAILE"; LORD WOLSELEY, *Life of John Churchill, Duke of Marlborough*, of which the two volumes only go down to 1702 (London, 1894). DAVID MASSON'S *Life of Milton*, vol. vi. (London, 1880), gives a good summary of the early years after the Restoration. The articles in the *Dictionary of National Biography* within this period are of very varying degrees of worth and accuracy, but those by Professor C. H. Firth and Mr. Osmund Airy are very good. Miss FOXCROFT has recently placed the students of this period under a new obligation by writing, in conjunction with the Rev. T. E. S. CLARKE, a *Life of Gilbert Burnet* (Cambridge, 1907).

II. FOREIGN RELATIONS.

Out of the enormous mass of literature on the age of Louis XIV., the following may be selected as most important for the student

APP. I. of English history. MIGNET'S *Négociations relatives à la Succession d'Espagne sous Louis XIV.* (Collection des Documents Inédits, 4 vols., Paris, 1835-42) is indispensable for the later half of the seventeenth century. The *Négociations du Comte d'Avaux en Hollande*, 1679-88 (6 vols., Paris, 1752-53), is equally important. BAROZZI and BERCHET have edited a volume of Venetian despatches from England (*Relazioni degli Stat Europei lette al Senato dagli Ambasciatori Veneziani nel secolo decimosettimo.* Serie iv., *Inghilterra*, Venice, 1863). On the policy of William III. there are ample materials in GROEN VAN PRINSTERER, *Archives de la Maison d'Orange-Nassau*, 2nd series, vol. v. (Utrecht, 1861), and in SIRTEMA DE GROVESTINS, *Guillaume III. et Louis XIV.* (8 vols., Paris, 1868). STANHOPE, *Spain under Charles II.* (extracts from the correspondence of Alexander Stanhope, British Minister at Madrid, 1690-99, London, 1844), gives an account of the rather futile negotiations of England in Madrid at the time of the partition treaties. Of modern works, LEOPOLD VON RANKE in his *English History* and ONNO KLOPP in *Der Fall des Hauses Stuart*, deal very fully with foreign policy. LEFÈVRE-PONTALIS, *Jean de Witt* (Utrecht, 1882; and English translation, London, 1885), may be consulted on Anglo-Dutch relations under Charles II. LEGRELLE, *La Diplomatie Française et la Succession d'Espagne* (Paris, 1888-92), is the most valuable modern work on the great subject with which it deals. But it may usefully be supplemented by reference to HIPPEAU, *Avènement des Bourbons au trône d'Espagne* (Paris, 1875); GÆDEKE, *Die Politik Oesterreichs in der Spanischen Erbfolgefrage* (Leipzig, 1877); HEIGEL, *Kurprinz Joseph Ferdinand von Bayern und die Spanische Erbfolge*, 1692-99 (Munich, 1879), and KARL VON NOORDEN, *Europäische Geschichte im* 18. *Jahrhundert* (Band i., Düsseldorf, 1870). The Memoirs of TORCY (Paris, 1850) should also be consulted.

III. NAVAL AND MILITARY HISTORY.

Naval history bulks largely in the *Calendar of State Papers, Domestic*, both for the reign of Charles II. and for that of William III. The Navy Records Society has issued *A Descriptive Catalogue of the Naval Manuscripts in the Pepysian Library* (ed. J. R. Tanner, 3 vols. have appeared, London, 1903-9); and *Fighting Instructions*, 1530-1816 (ed. J. S. Corbett, London, 1905). PEPYS' *Diary* is of great value for its accounts of naval administration and for the first Dutch war. On the same war reference may be made to C. Brinkmann's article on Charles II. and the Bishop of Munster in *English Historical Review* for 1906. On both Dutch wars CLARKE'S *Life of James II.*

may be consulted. The *Dartmouth MSS.*, vol. iii. contains valuable reports on the naval operations of 1672-73, and vol. i. is indispensable for the doings of the fleet at the time of the Revolution. The *Memoirs Relating to Lord Torrington* (ed. J. K. Laughton for the Camden Society, 1889) contain a sketch of naval history from 1688 to 1695, and for the same period there are important letters in vol. viii. of the *Portland MSS.* The most valuable modern books are JULIAN S. CORBETT, *England in the Mediterranean*, 1603-1713 (2 vols., London, 1889); and A. T. MAHAN, *The Influence of Sea Power upon History* (London, 1889). Reference may also be made to W. L. CLOWES, *The Royal Navy* (vol. ii., London, 1897). An admirable account of the origin of the English army and of the campaigns of William III. is given in J. W. FORTESCUE, *History of the British Army* (vol. i., London, 1899). APP. I.

IV. SCOTTISH HISTORY.

The *Acts of the Parliament of Scotland* are far more complete than the English Statutes, as they give the journals of the House as well as the completed legislation. The *Register of the Privy Council of Scotland*, third series, will cover this period, but as yet only the first volume, for 1661-64, has appeared. The *Calendar of State Papers, Domestic*, contains many important references to Scottish affairs, particularly in the reign of William III. Besides these official publications, there is a considerable mass of material for Scottish history. Burnet covers the whole time, and he never loses his interest in Scottish affairs even after a prolonged absence from the country. But the only period of Scottish history for which he can be regarded as a first-rate authority is the first twenty years of Charles II. The same period is covered by the invaluable *Lauderdale Papers* (admirably edited for the Camden Society by Mr. Osmund Airy, 1894-95). These may be supplemented, from 1660 to 1671, by Sir GEORGE MACKENZIE'S *Memoirs of the Affairs of Scotland from the Restoration of Charles II.* (Edinburgh, 1818), and by Sir J. TURNER, *Memoirs of My Own Time* (Edinburgh, 1829). WODROW, *History of the Sufferings of the Church of Scotland from the Restoration* (4 vols., Glasgow, 1836), is of great value, because he quotes in full the most important ecclesiastical documents of the period. For the later years of Charles II., the *Letters to George, Earl of Aberdeen* (Spalding Club, 1851), and the *Letters of James Graham of Claverhouse* (Bannatyne Club, 1843), with some additional letters in the *Buccleugh MSS.* (Hist. MSS. Comm. Rep., xv., App. 8, 264-94) should be consulted. For the

APP. I. same period and for the reign of James, Sir JAMES LAUDER OF FOUNTAINHALL takes the place of Sir George Mackenzie as a memoir-writer. His *Historical Observes of Memorable Occurrents in Church and State*, 1680-86, was published in 1840 by the Bannatyne Club, and in 1848 the same body issued his *Historical Notices of Scottish Affairs*, 1861-88. In 1900 the Scottish History Society completed the publication of Fountainhall's works by issuing his *Journals, with His Observations on Public Affairs*, 1665-76 (ed. D. Crawford). Like Mackenzie, Fountainhall was pre-eminently interested in the legal and judicial life of Edinburgh.

For the Revolution in Scotland, the primary guides are the *Leven and Melville Papers*, 1689-91 (Bannatyne Club, 1843), and Lord BALCARRES, *Memoirs Touching the Revolution in Scotland* (Bannatyne Club, 1841), which supplement each other like the *Lauderdale Papers* and Mackenzie's *Memoirs* after the Restoration. The *Memoirs* of HUGH MACKAY (Bannatyne Club, 1833) describe the military operations in the Highlands, and the chief documents relating to the massacre of Glencoe are collected in *Papers Illustrative of the Highlands of Scotland* (Maitland Club, 1845). John Hill Burton edited the *Darien Papers* for the Bannatyne Club (1849), and important information on William's reign is contained in the *State Papers and Letters Addressed to William Carstares* (ed. J. McCormick, 1874). JOHN OLDMIXON, in *Memoirs of North Britain* (London, 1715), defended the Revolution in Scotland and William's conduct with regard to Glencoe and the Darien Company.

Of the publications of the Historical MSS. Commission the most valuable for Scotland in this period are the *Buccleugh MSS. at Drumlanrig*. Vol. i. (Rep. xv., App. 8, 1897) includes 81 letters from the Duke of Hamilton to Queensberry, 1676-85; 37 letters from Claverhouse; 109 letters from James, Duke of York; and the papers of Queensberry as Commissioner to the Parliament of 1685. Vol. ii. (1903) contains letters to Queensberry from Moray, 1682-86, and from John Drummond (afterwards Lord Melfort), 1682-85. The letters and papers of the third Duke of Hamilton in the *Hamilton MSS.* (Rep. xi., part 6) are also worth consulting. The *Hope Johnstone MSS.* (Rep. xv., App. 9, 1897) contain (1) letters to and from Lord Annandale, 1690-1715, and (2) the Correspondence of the Earl of Crawford, 1689-98. The Shrewsbury Correspondence in *Buccleugh MSS. at Montagu House*, vol. ii. (1903) has a number of important references to Scotland. The Scottish History Society, besides Fountainhall's *Journals*, has published the *Diary of John Erskine of Carnock*, 1683-87 (1893); the *Narrative of Mr. James*

Nimmo, a Covenanter, 1654-1709 (1889); and some letters by Archbishop Sharp in *Miscellany* i. (1894).

The history of Scotland during the period has been told at considerable length by M. LAING, *History of Scotland from the Union of the Crowns to the Union of the Parliaments* (4 vols., 1800-4), and by JOHN HILL BURTON, in vols. vii. and viii. of his *History of Scotland*. Both are still worth reading. Later works, which have incorporated the results of more modern research, are ANDREW LANG'S *History of Scotland*, vols. iii. and iv., P. HUME BROWN'S *History of Scotland*, vol. ii., and W. L. MATTHIESON, *Politics and Religion; a Study in Scottish History from the Reformation to the Revolution* (1902). The last book has been continued in *Scotland and the Union: a History of Scotland from* 1695 *to* 1747 (1905). The ecclesiastical history of the period is narrated from opposite points of view by T. STEPHEN, *History of the Church of Scotland from the Reformation to the Present Time* (4 vols., 1843-44), and by J. CUNNINGHAM, *The Church History of Scotland from the Commencement of the Christian Era to the Present Century* (2 vols., 1859). Mr. OSMUND AIRY has contributed valuable articles on Lauderdale to the *English Historical Review* for July, 1886, and to the *Quarterly Review* for July, 1884, and on Archbishop Sharp to the *Scottish Review* for July, 1884. Biographies have been written of *Archbishop Leighton* by the Rev. D. BUTLER (1903), of *Sir George Mackenzie*, by ANDREW LANG (1908), and of *Sir James Dalrymple, First Earl of Stair*, by ÆNEAS J. G. MACKAY (1873). Professor C. SANFORD TERRY has written a useful short account of *The Pentland Rising* (Glasgow, 1905), a learned but somewhat too contentious life of *James Graham of Claverhouse, Viscount of Dundee* (London, 1905), and a clear and able account of *The Scottish Parliament, its Constitution and Procedure*, 1603-1707 (Glasgow, 1905). This last may be compared with another good account of the Scottish Parliament in PORRITT, *The Unreformed House of Commons*, vol. ii. (Cambridge, 1903). R. H. STORY'S *William Carstares* (London, 1894) and J. S. BARBOUR'S *History of William Paterson and the Darien Company* (Edinburgh, 1907) are both readable and useful. Mr. H. Bingham has written in the *Scottish Historical Review*, vol. iii. (Glasgow, 1906), on the early history of the Scots-Darien Company.

V. IRISH HISTORY.

CARTE'S *History of the Life of James, Duke of Ormond* (3 vols., London, 1736), is still an indispensable authority for Irish history during the reigns of Charles II. and James II. The numerous letters and papers which it contains have been supplemented by the

APP. I. publication of the *Ormonde MSS. at Kilkenny*, of which five volumes have been issued by the Hist. MSS. Commission. PETTY'S *Political Anatomy of Ireland* (London, 1672) is of great value, and a good account of the Restoration settlement in Ireland is given in FITZMAURICE, *Life of Sir William Petty* (London, 1895). The *Calendar of State Papers, Ireland* (ed. R. P. Mahaffy), has only been carried to 1669 (3 vols.). CLARENDON'S *Life*, vol. iii. (Oxford, 1759), gives full details as to the Irish land disputes. The *Orrery State Letters* (2 vols., 1742) and the *Essex Papers* (ed. O. Airy for the Camden Society, 1890) are indispensable for the reign of Charles II., as is the *Correspondence of Henry Hyde, Earl of Clarendon* (ed. S. W. Singer, 2 vols., London, 1828), for the reign of James II. On the Revolution in Ireland there is a mass of contemporary literature, and it is only possible to enumerate some of the more important publications. A full bibliography will be found in the *Cambridge Modern History*, vol. v., 829-37. WILLIAM KING (afterwards Archbishop of Dublin) published in 1691 the *State of the Protestants of Ireland*, which is a hostile analysis of the whole government of James. It was answered by LESLIE in *An Answer to a Book entitled the State of the Protestants in Ireland under the Late King James* (London, 1692). The reply is rather a defence of James personally, and an attack upon Irish protestants for disloyalty, than a narrative of historical events. Archbishop King also left a *Diary*, written during his imprisonment in Dublin Castle in 1689, which was edited by H. J. Lawlor, D.D., for the *Journal of the Royal Society of Antiquaries of Ireland* (1903), and also issued in pamphlet form (University Press, Dublin, 1903). A brief autobiography, in Latin, was printed in the *English Hist. Review* for 1898, and has since appeared in a translation, with King's correspondence, in *A Great Archbishop of Dublin, William King, D.D.* (ed. by Sir Charles Simeon King, London, 1906).

There are two interesting Jacobite accounts of the war in Ireland. An anonymous writer, a devout believer in Tyrconnel, left a manuscript entitled *A Light to the Blind, whereby they may see the Dethronement of James the Second, King of England.* Extracts from it were made by Sir James Mackintosh, and to these Macaulay had access. The manuscript has since been edited by J. T. Gilbert under the title of *A Jacobite Narrative of the War in Ireland* (Dublin, 1892). The second work is entitled *Macariæ Excidium or the Destruction of Cyprus*, and was first edited for the Camden Society by T. Crofton Croker (London, 1841). Another edition, by John Cornelius O'Callaghan, was issued by the Irish Archæological Society (Dublin, 1850). The book has also been edited, in a modernised form, by Count Plunkett

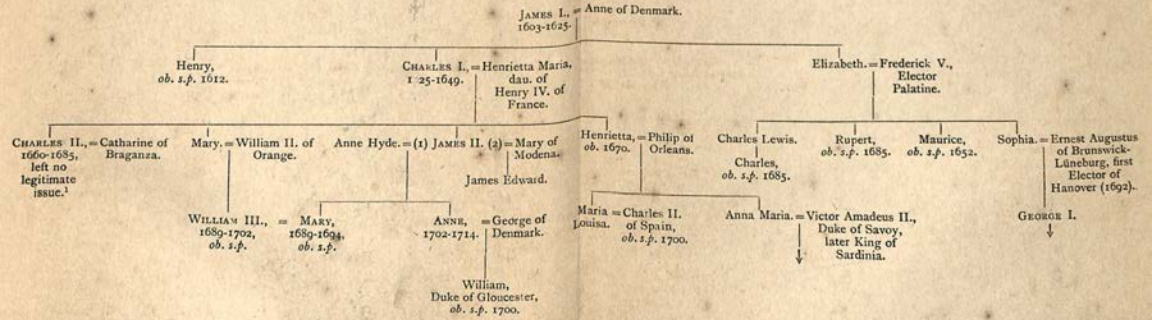
and the Rev. E. Hogan, S.J., under the name of *The Jacobite War in Ireland*, 1688-91 (Dublin, 1894). The author was Colonel CHARLES O'KELLY, a vehement opponent of Tyrconnel. The two books may be usefully compared with each other, and also with the Williamite account, written by GEORGE STORY, Dean of Limerick, with the title, *A True and Impartial History of the most Material Occurrences in Ireland during the Last Two Years, written by an Eye-Witness to the most Remarkable Passages* (London, 1691). This third book only brings the war to the fall of Kinsale, but was continued by the author to the treaty of Limerick (London, 1693). For further accounts of the war see HUGH MACKAY'S *Memoirs of the War carried on in Scotland and Ireland* (Bannatyne Club, 1833), and the autobiography of Sir GEORGE CLARKE in the *Leyborne-Popham MSS.* (Hist. MSS. Comm., 1899). There is a useful summary of the military operations of 1689 and 1690, by Lieut.-Col. E. Macartney-Filgate in *The War of William III. in Ireland* (Military Society of Ireland, Dublin, 1905). D'AVAUX, *Négociations en Irlande*, 1689-90 (privately printed by the Foreign Office in 1830), is invaluable, but is unfortunately very difficult to obtain. AP. I.

The *Shrewsbury Correspondence* (ed. Coxe) and the further letters in *Buccleugh MSS. at Montagu House*, vol. ii. (1903), contain important references to Irish history in William III.'s reign. In 1698 WILLIAM MOLYNEUX published his famous *Case of Ireland's being Bound by Acts of Parliament in England*, which has been taken by all writers as the beginning of the long agitation for the redress of Irish grievances.

Modern books on Irish history are mostly controversial. An interesting defence of the Parliament of 1689, which also gives a good account of its proceedings, was written in 1843 by THOMAS DAVIS for the *Dublin Magazine*. The articles have been reprinted with an introduction by Sir Charles Gavan Duffy under the title of *The Patriot Parliament of* 1689 (London, 1893). For the other side of the picture, see T. DUNBAR INGRAM, *Two Chapters of Irish History* (London, 1888), and the same author's *Critical Examination of Irish History* (vol. i., chaps. 8-10, London, 1900). The introductory chapters of J. A. FROUDE'S *English in Ireland* (London, 1887), and of W. E. H. LECKY, *History of England in the Eighteenth Century* (vol. ii., London, 1877), are worth reading, but an authoritative and impartial history of Ireland in the seventeenth century is still to be written. Miss ALICE E. MURRAY has produced an important dissertation on the *Commercial and Financial Relations between England and Ireland from the Period of the Restoration* (London, 1903).

APPENDIX II.

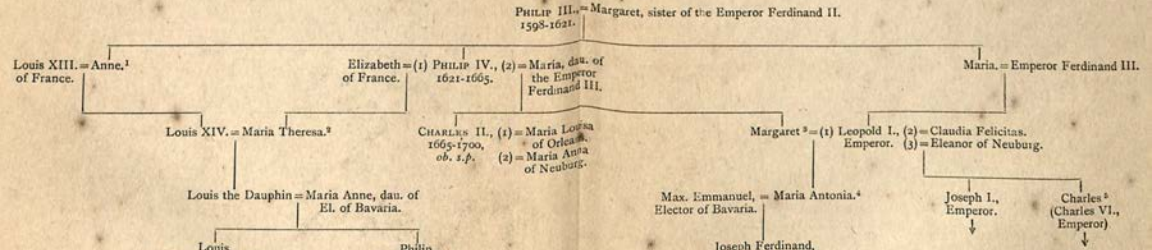
THE SUCCESSION IN ENGLAND.


James I., = Anne of Denmark.
1603-1625.
Henry, ob. s.p. 1612.
Charles I., = Henrietta Maria, dau. of Henry IV. of France.
1625-1649.
Elizabeth. = Frederick V., Elector Palatine.
Charles II., = Catharine of Braganza.
1660-1685, left no legitimate issue.[1]
Mary. = William II. of Orange.
Anne Hyde. = (1) James II. (2) = Mary of Modena.
James Edward.
Henrietta, = Philip of Orleans.
ob. 1670.
Charles Lewis.
Charles, ob. s.p. 1685.
Rupert, ob. s.p. 1685.
Maurice, ob. s.p. 1652.
Sophia. = Ernest Augustus of Brunswick-Lüneburg, first Elector of Hanover (1692).
William III., = Mary, 1689-1702, ob. s.p. 1689-1694, ob. s.p.
Anne, 1702-1714. = George of Denmark.
William, Duke of Gloucester, ob. s.p. 1700.
Maria Louisa. = Charles II. of Spain, ob. s.p. 1700.
Anna Maria. = Victor Amadeus II., Duke of Savoy, later King of Sardinia.
George I.

[1] The illegitimate children whom Charles recognised were (1) James Scott, Duke of Monmouth and Buccleugh (son of Lucy Walters); (2) Charles Fitzcharles, Earl of Plymouth (son of Catharine Peg or Pegge); (3) Charles Fitzroy, Duke of Southampton and Cleveland; (4) Henry Fitzroy, Duke of Grafton; (5) George Fitzroy, Duke of Northumberland; (6) Anne, Countess of Sussex; (7) Charlotte, Countess of Lichfield (these five were the children of Lady Castlemaine); (8) Charles Beauclerk, Duke of St. Albans (son of Nell Gwyn); (9) Mary Tudor, married to Francis, Lord Radcliffe, and mother of the Earl of Derwentwater (daughter of Mary Davis); and (10) the one son of Louise de Kéroualle, Charles Lennox, Duke of Richmond and Lennox.

APPENDIX III.

THE SPANISH SUCCESSION.


Philip III. = Margaret, sister of the Emperor Ferdinand II.
1598-1621.
Louis XIII. = Anne.[1] of France.
Elizabeth = (1) Philip IV., (2) = Maria, dau. of the Emperor Ferdinand III.
of France. 1621-1665.
Maria. = Emperor Ferdinand III.
Louis XIV. = Maria Theresa.[2]
Charles II., 1665-1700, ob. s.p.
(1) = Maria Louisa of Orleans.
(2) = Maria Anna of Neuburg.
Margaret[3] = (1) Leopold I., (2) = Claudia Felicitas.
Emperor. (3) = Eleanor of Neuburg.
Louis the Dauphin = Maria Anne, dau. of El. of Bavaria.
Max. Emmanuel, = Maria Antonia.[4]
Elector of Bavaria.
Joseph I., Emperor.
Charles[5] (Charles VI., Emperor)
Louis, Duke of Burgundy, ob. 1711.
Philip, Duke of Anjou (Philip V. of Spain).
Joseph Ferdinand, ob. s.p. 1699.

[1] Anne, on her marriage, made a full renunciation of her claims, which were thus transferred to her sister, Maria.

[2] Maria Theresa, on her marriage, made a renunciation, the validity of which was subsequently disputed by Louis XIV.

[3] Margaret (often wrongly called Margaret Theresa) was recognised in her father's will as heiress after her brother and his descendants.

[4] Maria Antonia was induced by her father to renounce her claim in favour of his second son. Her act was certainly invalid, and was never recognised in Spain. This renunciation has been absurdly attributed by Macaulay and by many English writers, who have followed him, to her mother, Margaret. As the object of Maria Theresa's renunciation was to secure the succession to Margaret and her descendants, the assertion that Margaret also renounced her claim makes the whole story unintelligible.

[5] The Archduke Charles represents the claim of his father, Leopold, derived from Leopold's mother, the Infanta Maria.

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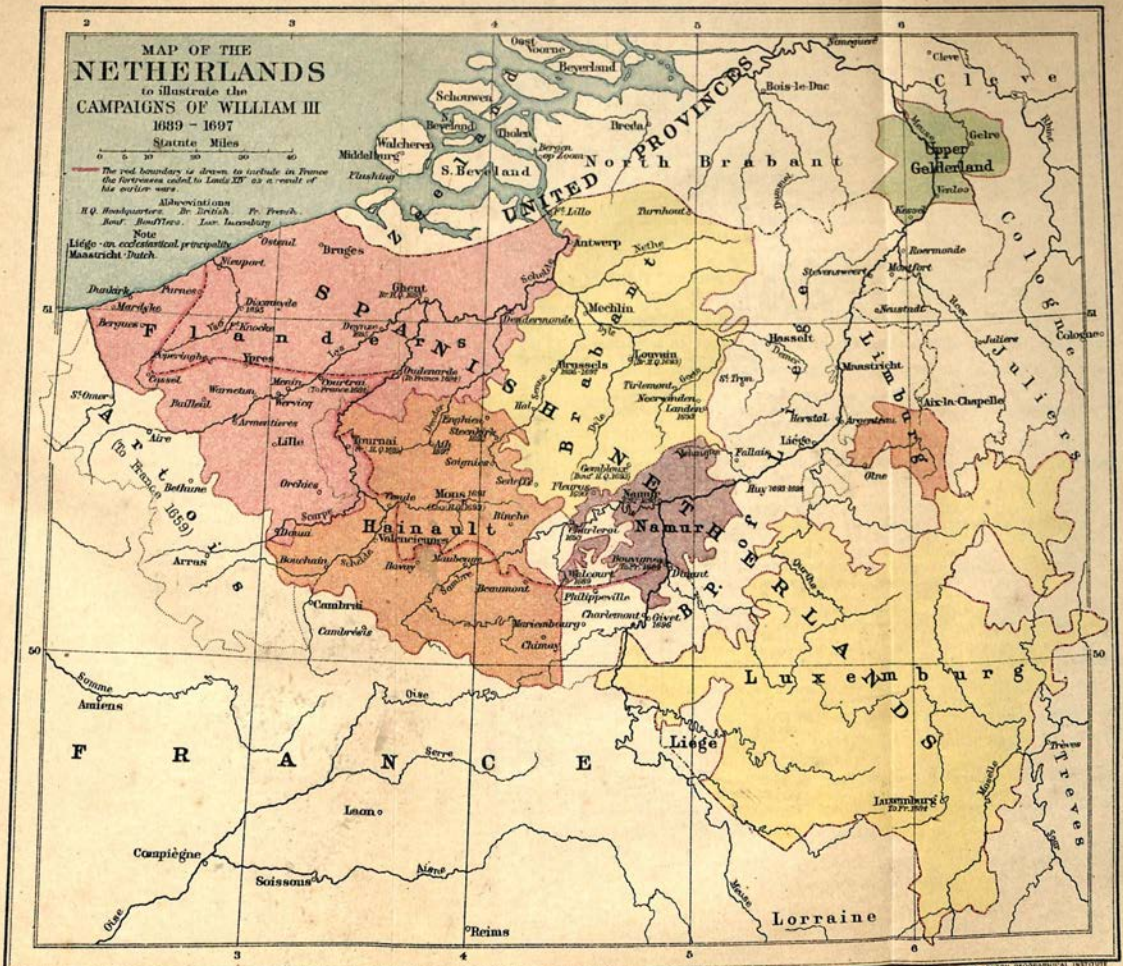
MAP OF THE
NETHERLANDS
to illustrate the
CAMPAIGNS OF WILLIAM III
1689 – 1697
Statute Miles
0 5 10 20 30 40
The red boundary is drawn to include in France the Fortresses ceded to Louis XIV as a result of his earlier wars.
Abbreviations
H.Q. Headquarters. Br. British. Fr. French.
Bouf. Boufflers. Lux. Luxemburg.
Note
Liège - an ecclesiastical principality.
Maastricht - Dutch.
UNITED PROVINCES
SPANISH NETHERLANDS
FRANCE
Flanders
Hainault
Artois
Brabant
North Brabant
Namur
Limburg
Luxemburg
Cleve
Upper Guelderland
Liège
Lorraine
Oost Voorne
Beyerland
Schouwen
S. Beveland
Walcheren
Middelburg
Flushing
Tholen
Breda
Bergen op Zoom
Bois-le-Duc
Venloo
Stevensweert
Roermonde
Maastricht
Aix-la-Chapelle
Hasselt
Tirlemont
Leuven
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